CITY OF ORLANDO

CHAPTER 30

REGULATION OF SEWER USE AND RATES

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SECTION 30.01 - GENERAL PROVISIONS

1. Purpose and Policy

This Chapter sets forth uniform requirements for users of the Publicly Owned Treatment Works (POTW) for the City and enables the City to comply with all applicable State and Federal laws, including the Clean Water Act (33 United States Code § 1251 *et seq*.) and the General Pretreatment Regulations (40 Code of Federal Regulations Part 403 and Chapter 62-625, F.A.C). The objectives of this Chapter include:

(a) To prevent the introduction of pollutants into the Publicly Owned Treatment Works that will interfere with its operation;

(b) To prevent the introduction of pollutants into the Publicly Owned Treatment Works that will pass through the Publicly Owned Treatment Works, inadequately t~~T~~reated, into receiving waters, or otherwise be incompatible with the Publicly Owned Treatment Works;

(c) To protect both the general public and Publicly Owned Treatment Works personnel who may be affected by wastewater and biosolids in the course of their employment and;

(d) To promote reuse and recycling of wastewater and biosolids from the Publicly Owned Treatment Works;

(e) To provide for fees for the equitable distribution of the cost of operation, maintenance, and improvement of the Publicly Owned Treatment Works; and

(f) To enable the City to comply with conditions in its National Pollutant Discharge Elimination System and State Domestic Wastewater Facility permits; biosolids use and disposal requirements; and any other Federal or State laws to which the Publicly Owned Treatment Works are~~is~~ subject.

This Chapter shall apply to all users of the Publicly Owned Treatment Works. The Chapter authorizes the issuance of Industrial User Discharge Permits; provides for monitoring, compliance, and enforcement activities; establishes administrative review procedures; requires user reporting; and provides for the setting of fees for the equitable distribution of costs resulting from the programs established herein.

2. Administration

(a) Except as otherwise provided herein, the Director of Permitting Services, and the Director of Public Works shall administer, implement, and enforce the provisions of this Chapter. Any powers granted to or duties imposed upon them may be delegated by them to other City personnel.

(b) No statement contained in this Chapter shall be construed as preventing any special agreement or arrangement between the City and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the City for treatment, subject to special payment therefore, by the industrial concern; provided, however, that at no time will the City be asked to accept such discharges that, in the City's sole judgment,

would violate any Federal, State, or local pretreatment standard.

(c) Any provision or section of this Chapter to the contrary notwithstanding, the City reserves the absolute right, to deny or condition new or increased contributions of pollutants, or changes in the nature of pollutants, to the POTW by industrial users where such contributions do not meet applicable pretreatment standards and requirements or where such contributions would cause the POTW to violate its NPDES or FDEP permit(s).

3. Abbreviations

(a) The following abbreviations, when used in this Chapter, shall have the following designated meanings:

(1)	·	BMP -	Best Management Practice
(2)	.	BMPP -	Best Management Practices Plan
(3)	·	BMR -	Baseline Monitoring Report
(4)	·	$CBOD_5$-	Carbonaceous Biochemical Oxygen Demand
(5)	·	^oC -	Degrees Celsius
(6)	·	CFR -	Code of Federal Regulations
(7)	·	COD -	Chemical Oxygen Demand
(8)	.	DO -	Dissolved Oxygen
(9)	·	EPA -	U.S. Environmental Protection Agency
(10)	.	ERC -	Equivalent Residential Connection
(11)	·	^oF -	Degrees Fahrenheit
(12)	·	F.A.C. -	Florida Administrative Code
(13)	·	FDEP -	Florida Department of Environmental Protection
(14)	·	F.S. -	Florida Statutes
(15)	·	gpd -	gallons per day
(16)	·	LEL -	Lower Explosive Limit
(17)	·	mg/l -	milligrams per liter
(18)	.	MGD -	million gallons per day
(19)	.	MSDS -	Material Safety Data Sheet
(20)	.	NOV -	Notice of Violation
(21)	·	NPDES-	National Pollutant Discharge Elimination System
(22)	.	OGMP -	Oil and Grease Management Program
(23)	.	OUC -	Orlando Utilities Commission
(24)	·	POTW -	Publicly Owned Treatment Works
(25)	·	RCRA -	Resource Conservation and Recovery Act

(26) · SIC - Standard Industrial Classification

(27) · SIU - Significant Industrial User

(28) . SNC - Significant Noncompliance

(29) · SWDA- Solid Waste Disposal Act

(30) . TRPH - Total Recoverable Petroleum Hydrocarbons

(31) · TSS - Total Suspended Solids

(32) · TTO - Total Toxic Organics

(33) · USC - United States Code

(34) · WRF - Water Reclamation Facility

(b) Abbreviations not otherwise defined in (a) above shall be adopted by reference or described in the latest edition of the Code of Federal Regulations, the Florida Administrative Code, Standard Methods, EPA/FDEP Guidance Manuals or by the Water Environment Federation, American Society of Civil Engineers (ASCE) and the American Society of Testing Materials (ASTM).

4. Definitions

(a) Unless a provision explicitly states otherwise, the following terms and phrases, as used in this Chapter, shall have the meanings as designated below:

(1) Abnormally High Strength Compatible Waste. Wastes containing a $CBOD_5$ above three hundred (300) mg/l or total suspended solids above three hundred (300) mg/l.

(2) Abnormally Low Strength Compatible Waste. Wastes containing a $CBOD_5$ below fifty (50) mg/l and total suspended solids below fifty (50) mg/l.

(3) Act or "the Act." The Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, 33 USC § 1251 *et seq*., or as amended in the future. The Act provides statutory authority for both NPDES and Pretreatment Programs.

(4) Administrative Action. An enforcement action authorized by the Control Authority's legal authority, which is taken without the involvement of a court.

(5) Administrative Fine. A punitive monetary charge unrelated to actual treatment costs, which is assessed by the Control Authority rather than a court.

(6) Administrative Order. A document which orders the user (violator) to perform a specific act or refrain from an act. The order may require users to attend a show cause meeting, cease and desist discharging, or undertake activities pursuant to a compliance schedule.

(7) Aliquot. Portion of a sample.

(8) Applicant. An owner, or agent of the owner, of any land negotiating for Municipal Sewer Service.

(9) Approval Authority. The Florida Department of Environmental Protection (FDEP).

(10) Approved. Document accepted by the Director of Public Works as meeting or complying with applicable requirements, standards or specifications as set forth ~~cited~~ in this Chapter; or suitable for the proposed use or application.

(11) Assessment. A municipal improvement lien against property for benefits received from construction of such improvements.

(12) Authorized City Personnel. Individuals or designees that have been authorized or approved by the City to perform specific tasks or to execute certain job descriptions or scope of services.

(13) Authorized or Responsible Representative of the User.

(a) If the user is a corporation:

(i) The president, secretary, treasurer, or a vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation; or

(ii) The manager of one or more manufacturing, production, or operation facilities employing more than two hundred fifty (250) persons or having gross annual sales or expenditures exceeding twenty-five (25) million dollars, if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

(b) If the user is a partnership or sole proprietorship, the authorized representative shall be a general partner or proprietor, respectively.

(c) If the user is a Federal, State, or local governmental facility, the authorized representative shall be a director or highest official appointed or designated to oversee the operation and performance of the activities of the government facility, or their designee.

(d) The individuals described in paragraphs (a) through (c), above, may designate another authorized representative if the authorization is in writing, the authorization specifies the individual or position responsible for the overall operation of the facility from which the discharge originates or having overall responsibility for environmental matters for the company, and the written authorization is submitted to the Director of Public Works.

(14) Baseline Monitoring Report (BMR). A report submitted by categorical industrial users within one hundred eighty (180) days after the effective date of a categorical standard which indicates the compliance status of the user with the applicable categorical standards as set forth in 40 CFR 403.12 (b) and adopted by reference in Chapter 62-625, F.A.C.

(15) Best Management Practice (BMP). Schedules of activities, prohibitions or practices, maintenance procedures, and other management practices to prevent or reduce pollution discharges. BMPs also include treatment requirements, operating procedures, and practices to control plant site runoff, spills or leaks, biosolids or waste disposal, or drainage from raw material storage.

(16) Best Management Practice Plan (BMPP). A plan prepared by a user describing the operational methodology to minimize the amount of wastes from production and to handle the resultant wastes in an environmentally sound and efficient manner.

(17) Best Professional Judgment. The highest quality technical opinion of a permit writer, after consideration of all reasonably available and pertinent data or information, forming the basis for the terms and conditions of a permit.

(18) Biohazardous Waste. Wastes from a biological source that may be hazardous to living organisms. Wastes can be physical, biological or chemical in nature.

(19) Biosolids. Primarily organic solids that are produced by wastewater treatment processes and can be beneficially recycled. Refer to residuals or sludge.

(20) Blowdown. The discharge from boilers or cooling towers that contains high concentrations of accumulated dissolved solids.

(21) Building Drain. That part of the lowest horizontal piping of the internal plumbing system which receives the wastewater discharge from other plumbing inside the walls of the building and conveys it to a point five (5) feet outside the outer face of the building wall to the building sewer.

(22) Bypass. The intentional diversion of wastewater streams from any portion of a user's pretreatment facility.

(23) Capacity Costs. Those costs which are related to the overall scale of the sewer system.

(24) Carbonaceous Biochemical Oxygen Demand (CBOD). The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedures for five (5) days at 20°C, usually expressed as a concentration, such as mg/l.

(25) Categorical Pretreatment Standard or Categorical Standard. Pretreatment standards specifying pollutant discharge limits or quantities of pollutants which are discharged to the POTWs. The standards apply to a specific category of users, as established by EPA in accordance with Sections 307(b) and (c) of the Act (33 USC § 1317) and which appear in the appropriate subparts of 40 CFR Subchapter N, Parts 405-471, and adopted by reference in Chapter 62-625, F.A.C.

(26) Cease and Desist Order. An administrative order directing a user to immediately halt illegal or unauthorized discharges.

(27) Chain of Custody. Written record of sample possession for all persons who handle (collect, transport, analyze and dispose of) a sample, including the names, dates, times, and procedures followed.

(28) Chemical Oxygen Demand (COD). The laboratory determination of the oxygen equivalent expressed in milligrams per liter (mg/l) of that portion of the organic matter that is susceptible to oxidation by the standard dichromate reflux method. The COD shall be determined in accordance with procedures set forth in the latest edition of *Standard Methods*.

(29) Chronic Violations. Violations in which sixty-six percent (66%) or more of wastewater measurements taken during a six (6) month period exceed the local pollutant limit for the same pollutant parameter by any amount.

(30) City. The City of Orlando, Florida, a municipal corporation, or where appropriate, the term may also be used as a designation for any duly authorized official or employee of the City.

(31) City Council (Council). The City Council of the City of Orlando, Florida.

(32) Code of the City of Orlando (City Code). Set of ordinances as passed by the City Council.

(33) Color. The color of water from which turbidity has been removed and which results from substances in solution.

(34) Combined Wastestream Formula. A procedure for calculation of alternative discharge limits for industrial facilities where regulated wastestream(s) from a categorical industrial user is combined with other wastestream(s) prior to treatment as set forth in 40 CFR 403.6(2) and Chapter 62-625.410(6).

(35) Commodity Costs. Those costs which tend to vary with the actual use of system of given capacity.

(36) Common Oil & Grease Interceptor. An interceptor which receives oil and grease wastes from more than one facility with different operators (owners) or type of activities.

(37) Compatible Constituent or Pollutant. Carbonaceous biochemical oxygen demand, chemical oxygen demand, oil and grease, suspended solids, pH, ammonia, nitrite/nitrate total Kjeldahl nitrogen, total phosphorous and fecal coliform bacteria, plus any additional pollutants identified in the City's NPDES or FDEP permit(s), where the POTW is capable of treating such pollutants, does treat such pollutants, and in fact, does treat such pollutants to the degree required by the aforementioned permits.

(38) Compliance Order. An administrative order directing a noncompliant user to achieve or to restore compliance by a date specified in the order.

(39) Compliance Schedule. A schedule of required remedial activities (also called milestones) necessary for an industrial user to achieve compliance with all pretreatment program requirements. Compliance schedule may be set forth in the industrial user discharge permit , consent order or other enforcement documents.

(40) Composite Sample. A mixture of discrete grab samples or aliquots taken at the same location, but at different times; and which will reflect average water quality at that monitoring location for the given sample interval. Composite samples can be collected on a flow proportional or time proportional basis.

(41) Concentration Limit. A limit based on the mass of pollutant per unit volume, usually expressed in milligrams per liter (mg/l).

(42) Consent Agreement. An administrative order embodying a legally enforceable agreement between the Control Authority and the noncompliant industrial user designed to restore the user to compliance status.

(43) Consistent Removal. The average of the lowest fifty percent (50%) of the removal efficiencies that are determined for an user or pretreatment facility in accordance with Chapter 62-625.420(2), F.A.C.

(44) Contaminant. The introduction of any physical, chemical, or radiological substance, microorganisms, wastes or wastewater into in a flow of water in a concentration that renders the water unsuitable for its intended use. Refer to Pollutant.

(45) Continuous Discharge. A discharge which occurs without interruption throughout the operating hours of the industrial facility, except for infrequent shutdowns for maintenance, process changes or other similar activities.

(46) Control Authority. The City of Orlando and its designees, which administers the pretreatment program as approved by the Approval Authority pursuant to the provisions of 40 CFR 403.12(a) and Chapter 62-625.510, F.A.C.

(47) Control Manhole. A manhole installed by the user at their expense to facilitate observation, sampling and testing of the process wastewater.

(48) Customer. Any person, firm or corporation, or government that are the actual user of the City sewer/wastewater system.

(49) Daily Maximum Limit. The maximum allowable discharge of a pollutant during a 24-hour period, expressed either in units of mass or as the arithmetic average measurement of concentration for all measurements within the 24-hour period.

(50) Department of Public Works. The Department of Public Works of the City, including all of its Bureaus.

(51) Developed Property. Any parcel of land that has been, or is about to be, improved to the extent that municipal water and sewer service are necessary prior to its utilization.

(52) Developer. An owner, or agent of the owner, in the process of the commercial utilization of any land, including subdivisions, who shall have the legal right to negotiate for municipal water and sewer service.

(53) Development. A parcel of land, including subdivisions, being commercially improved to the extent that municipal water and sewer service are~~is~~ necessary prior to its utilization.

(54) Dilute Wastestream. For purposes of the combined wastestream formula, the average daily flow (at least a 30-day average) from: (a) boiler blowdown streams, non-contact cooling streams, storm water streams, and demineralized backwash streams; provided, however, that where such streams contain a significant amount of a pollutant, and the combination of such streams, prior to treatment, with an industrial user's regulated process wastestream(s) will result in a substantial reduction of that pollutant, the Control Authority, upon application of the industrial user, may exercise its discretion to determine whether such stream(s) should be classified as diluted or unregulated; or (b) sanitary wastestreams where such streams are not regulated by a categorical pretreatment standard; or (c) from any process wastestreams which were, or could have been, entirely exempted from categorical pretreatment standards pursuant to paragraph 8 of the NRDC v. Costle Consent Decree (12 ERC 1833) for one or more of the following reasons (see Appendix D of 40 CRF Part 403):

(a) the pollutants of concern are not detectable in the effluent from the industrial user;

(b) the pollutants of concern are present only in trace amounts and are neither causing nor likely to cause toxic effects;

(c) the pollutants of concern are present in amounts too small to be effectively deduced by technologies known to the EPA Administrator or Approval Authority; or

(d) the wastestream contains only pollutants which are compatible with the POTW.

(55) Direct Discharge. The introduction of pollutants directly into the waters of the State.

(56) Director of Permitting Services. The City administrative official in charge of the Office of Permitting Services, including all of its Bureaus, or his designee, authorized deputy, agent, or representative.

(57) Director of Public Works. The City administrative official in charge of the Department of Public Works, including all of its Bureaus, or his designee, authorized deputy, agent, or representative.

(58) Discharge. The introduction of pollutants into the POTW by any nondomestic source that is subject to the regulations of Chapter 403, F.S.

(59) Discharge Monitoring Report. The form for reporting the results of self- monitoring activities with an industrial user discharge permit.

(60) Dissolved Solids. The total amount of dissolved material, organic and inorganic, contained in water or wastes.

(61) Domestic Wastewater. The wastes produced from non-commercial or non-industrial activities, and which result from normal human living processes, which are of substantially similar origin and strength to those typically produced in households.

(62) Duplicate Sample. Two samples or aliquots collected at the same time from the same location.

(63) Dwelling, Multiple. A building designed for, or occupied exclusively by two (2) or more families.

(64) Dwelling (unit), Single Family. A building designed for or occupied exclusively by one family. Also designated as "unit".

(65) Effluent. A discharge of pollutants into the environment, partially or completely treated or in its natural state.

(66) Environmental Protection Agency (EPA). The U.S. Environmental Protection Agency or, where appropriate, the EPA Region IV Water Management Division Director, or other duly authorized official of said agency.

(67) Equalization. A pretreatment process consisting of detention of a wastewater flow in a large tank, sump, or headbox to smooth out surges.

(68) Equivalent Residential Connection (ERC). A unit of flow equivalent to seven thousand (7,000) gallons per month and representing the approximate monthly water usage of a single-family living unit based on the monthly average for the previous twelve (12) consecutive months. The minimum capacity charge for any user shall be one (1) ERC.

(69) Existing Source. Any source of discharge, the construction or operation of which commenced prior to the publication by EPA of proposed categorical pretreatment standards, which shall be applicable to such source if the standard is thereafter promulgated in accordance with Section 307 of the Act.

(70) Florida Administrative Code (F.A.C.). Codification of administrative rules to implement legislation approved by the legislature and the resultant Florida Statutes.

(71) Florida Department of Environmental Protection (FDEP). The Florida State agency that administers the regulations pertaining to the environment in the State. The Approval Authority for pretreatment programs in the State.

(72) Flow Proportional Composite Sample. A sampling method, which combines discrete sample aliquots collected over time that are based upon the flow of the wastestream being sampled. There are two methods used to collect this type of sample. One method collects a constant sample volume at time intervals that vary based on the flow. That is, a 200 milliliters (ml) sample is collected for every 5,000 gallons of flow

(discharge). The other method collects aliquots of varying volume that is based on the flow with a constant time interval.

(73) Flow Weighted Average Formula. A procedure to calculate alternative limits where wastestreams that are regulated by a categorical pretreatment standard and nonregulated wastestreams are combined after treatment but prior to the monitoring location.

(74) Food Court. A designated area in shopping centers or amusement parks where food preparation establishments with different operators (owners) share seating space or plumbing facilities.

(75) Food Service Facility. Any establishment which prepares (cuts, cooks, bakes) or serves food to the general public, and which disposes of food related wastewater.

(76) Force Main. A pressure pipe connected to the pump discharge at a wastewater pumping station.

(77) Garbage. Animal and vegetable wastes resulting from the domestic and commercial preparation, cooking, dispensing, and consumption of food, and from the handling, storage and sale of produce.

(78) Garbage Grinder or Disposal. An electric device which shreds solid or semi- solid waste materials, generally food related, into smaller portions for discharge into the City's wastewater system.

(79) Generator. A user, by site or facility, who produces wastes from the said user's process operation. The generator is responsible for disposal of the produced wastes in accordance with applicable Federal, State, and local regulations.

(80) Good Faith Effort or Progress. Prompt, vigorous and diligent pollution control measures undertaken by the user, which shows that extraordinary effort (not a "business-as-usual" approach) have been made to achieve compliance as judged solely by the City.

(81) Grab Sample. A sample which is collected from a wastestream at a particular time and location. That is, a sample is taken on a one-time basis without regard to the flow in the wastestream and over a period of time not to exceed fifteen (15) minutes.

(82) Hauled Wastes. Any wastes that are delivered to the WRF by truck or rail car.

(83) Hauler. Refer to transporter.

(84) Hazardous Waste. A solid or liquid waste, or combination of solid or liquid wastes, which because of its quantity, concentration, or physical, chemical, or infectious characteristics:

(a) cause, or significantly contribute to an increase in mortality or an increase in

serious irreversible, or incapacitating reversible, illness; or

(b) pose a substantial present or potential hazard to human health or the environmental when improperly treated, stored, transported, or disposed or, or otherwise managed; or

(c) meets one of the following four conditions:

(i) Exhibit a characteristic of a hazardous waste as defined in 40 CFR, Section 261.20 through Section 262.24; or

(ii) Listed as a hazardous substance in 40 CRF, Section 261.31 through 261.33; or

(iii) A mixture containing a listed hazardous waste and a nonhazardous solid waste, unless the mixture is specifically excluded or no longer exhibits any of the characteristics of hazardous waste; or

(iv) Not excluded from regulation as a hazardous waste.

(85) Holding Tank Waste. Any waste from holding tanks such as, but not limited to vessels, aircraft, chemical toilets, campers, trailers, septic tanks, and vacuum-pump tank trucks.

(86) Incompatible Pollutant. All pollutants other than "compatible pollutants" as defined previously in this section. More specifically, it shall mean any pollutant other than CBOD, suspended solids, pH, and fecal coliform bacteria or additional pollutants identified in the Publicly Owned Treatment Works NPDES or FDEP permit(s) to discharge, which the wastewater treatment facilities were not designed to treat or do not remove to an acceptable degree.

(87) Indirect Discharge. The introduction of pollutants into the POTW from any nondomestic source regulated under Section 307 (b), (c), or (d) of the Act, including holding tank waste discharged into the system.

(88) Industrial User. Any user of Publicly Owned Treatment Works identified in the *Standard Industrial Classification Manual*, current edition, United States Office of Management and Budget, that is a source of indirect discharge of industrial wastewater which does not constitute a discharge of pollutants under regulations issued pursuant to Section 402 of the Act (Title 33 USC, Section 1342).

(89) Industrial User Discharge Permit. A permit issued to an industrial user by the City that authorizes the discharge of industrial wastewater to the public sewerage system. This permit may set certain conditions and/or restrictions to this discharge.

(90) Industrial Wastes. The liquid and solid wastes discharged into wastewater system from industrial manufacturing processes, trade or business as distinct from domestic wastewater.

(91) Infiltration. The water unintentionally entering the public sewer system, including water from sanitary building drains and laterals, from the ground through such means as, but not limited to, defective pipes, pipe joints, connections or manhole walls. Infiltration does not include, and is distinguished from, Inflow.

(92) Infiltration/Inflow. The total quantity of water from both infiltration and inflow, without distinguishing the source.

(93) Inflow. The water discharged into a sanitary sewer system, including building drains and sewer laterals, from such sources as, but not limited to, roof leader, cellar, yard, and area drains, foundation drains, unpolluted cooling water discharges, drains from springs and swampy areas, manhole covers, cross-connections from storm sewers or combined sewers, catch basins, storm waters, surface runoff, street wash waters, or drainage. Inflow does not include, and is distinguished from, Infiltration.

(94) Influent. Water, wastewater, or other liquid flowing into a tank, basin, treatment process, or treatment facility.

(95) Instantaneous Maximum Allowable Discharge Limit. The maximum concentration of a pollutant allowed to be discharged at any time, as determined from the analysis of any discrete or composite sample, independent of the industrial flow rate and the duration of the sampling event.

(96) Integrated Sample. A mixture of discrete grab samples taken from different locations at the same time or within a specified time interval. Typically, integrated samples are used to evaluate the average composition or total loading for combined wastestreams; or to represent various points in a wastestream cross-section which are mixed proportional to their relative flow rates or volumes.

(97) Interference. A discharge, which alone or in conjunction with a discharge or discharges from other sources, inhibits or disrupts the POTW, its treatment processes or operations or its biosolids processes, use or disposal; and therefore, is a cause of a violation of the City's NPDES or FDEP permit(s); or of the prevention of wastewater biosolids use or disposal in compliance with any of the statutory/regulatory provisions or permits issued thereunder, or any more stringent State or local regulations.

(98) Lateral. The service line from the public sewer, or other place of disposal, to a point five (5) feet outside the building wall.

(99) Local Pollutant. A pollutant, as identified in Section 30.03 (3) of this Chapter, which may be subject to regulation and restrictions for discharge to the public sewerage system.

(100) Local Pollutant Limit. Discharge standard for users of the POTW in order to achieve the purposes of this Chapter.

(101) Lower Explosive Limit (LEL). The lowest percent by volume of a mixture that will propagate a flame at twenty-five (25) degrees centigrade and atmospheric pressure.

(102) Mass Emission Rate. The weight of material discharged to the POTW during a given time interval, in pounds per day for the constituent or combination of constituents in question.

(103) Maximum Allowable Concentration. The maximum permitted amount of a specified pollutant in a volume of water or wastewater, expressed in units of mass per unit of volume, such as milligrams per liter (mg/l).

(104) Measurement. The ability of an analytical method or protocol to quantify and identify the presence of a substance, flow or volume, expressed in units of mass per unit of volume, such as milligrams per liter (mg/l).

(105) Medical Wastes. Any solid wastes or liquids which may present a threat of infection to humans. This includes, but is not limited to, human tissue, isolation wastes, infectious agents, human blood and blood products, pathological wastes, sharps, body parts, contaminated bedding, surgical wastes, potentially contaminated laboratory wastes, and dialysis wastes.

(106) Motel and Hotel Unit. The individual room or suite normally rented on a transient basis as a separate living and sleeping unit, with or without baths and kitchenettes.

(107) National Categorical Pretreatment Standard. Refer to Categorical Pretreatment Standard.

(108) National Pollutant Discharge Elimination Systems (NPDES) Permit. A permit issued to a Publicly Owned Treatment Works (POTW) which discharges to surface waters pursuant to Sections 307, 318, 402 and 405 of the Act (33 USC 1342).

(109) National Prohibited Discharge Standard or Prohibited Discharge Standard. Any regulation developed under the authority of Section 307 (b) of the Act, 40 CFR 403.5 and Chapter 62-625.400, F.A.C.

(110) Natural Outlet. Any outlet into a watercourse, pond, ditch, lake or other body of surface or ground water.

(111) New Source. Any building, structure, facility, or installation from which there is (or may be) a discharge of pollutants, the construction of which commenced after the publication of the proposed pretreatment standards under Section 307 (c) of the Act which will be applicable to such source if such standards are thereafter promulgated in accordance with that section, provided that:

(a) The building, structure, facility, or installation is constructed at a site at which no other source is located; or

(b) The building, structure, facility, or installation totally replaces the process or production equipment that causes the discharge of pollutants at an existing source; or

(c) The production or wastewater generating processes of the building, structure, facility, or installation is substantially independent of an existing source at the same site. In determining whether these are substantially independent, factors such as the extent to which the new facility is integrated with the existing plant, and the extent to which the new facility is engaged in the same general type of activity as the existing source, should be considered.

(d) Construction on a site at which an existing source is located results in a modification rather than a new source if the construction does not create a new building, structure, facility, or installation meeting the criteria of Section (a) (b) or (c) above but otherwise alters, replaces, or adds to existing process or production equipment.

(e) Construction of a new source as defined under this paragraph has commenced if the owner or operator has:

(i) Begun, or caused to begin, as part of a continuous onsite construction program;

(ii) Any placement, assembly, or installation of facilities or equipment; or

(iii) Significant site preparation work including clearing, excavation, or removal of existing buildings, structures, or facilities which is necessary for the placement, assembly, or installation of new source facilities or equipment; or entered into a binding contractual obligation for the purchase of facilities or equipment which are intended to be used in its operation within a reasonable time. Options to purchase or contracts which can be terminated or modified without substantial loss, and contracts for feasibility, engineering, and design studies do not constitute a contractual obligation under this paragraph.

(112) Ninety (90) Day Compliance Report. A report submitted by a categorical industrial applicable categorical standards; or in the case of a new source, after commencement of the discharge to the POTW; that documents and certifies the user, within ninety (90) days following the date for final compliance with compliance status of the user in accordance with 40 CFR 403.12 (d) and Chapter 62-625.600, F.A.C.

(113) Noncontact Cooling Water. Water used for cooling which does not come into direct contact with any raw material, intermediate product, waste product, or finished product.

(114) Notice of Violation (NOV). A Control Authority document notifying an industrial user that it has violated pretreatment standards and requirements. Generally used when the violation is relatively minor and the Control Authority expects the violation to be corrected within a short period of time.

(115) Office of Permitting Services. The Office of Permitting Services of the City, including all of its Bureaus.

(116) Oil and Grease. Materials, either liquid or solid, that are composed primarily of fatty matter from animal or vegetable sources or petroleum-based hydrocarbons.

(117) Oil and Grease Interceptor. A City approved device that is designed for flows in excess of fifty (50) gpm, constructed to separate, trap and hold oil and grease substances from animal or vegetable sources that are present in the discharge from users of the City wastewater system, and installed outside of the building. The purpose of the interceptor shall be to prevent oil and grease from entering the City wastewater system.

(118) Oil and Water Separator. A City approved device designed and constructed to separate, trap and retain oil and grease substances derived from petroleum-based hydrocarbons that are found in the discharge from users of the City wastewater system. The purpose of the separator is to prevent petroleum-based hydrocarbons from entering the City wastewater system and to improve the safety of said system for both City personnel and the general public.

(119) Orlando Utilities Commission. A commission established by the City Charter and State law to provide utilities and to set rates for such services.

(120) Outfall. The mouth of a sewer, drain or conduit where an effluent is discharged into the receiving waters.

(121) Overload. The imposition of any constituent or hydraulic (flow) loading on the components of the POTW in excess of the design or authorized (approved) capacity.

(122) Oversized Sewer. A sewer extension in, through or past a development which, because of anticipated future extensions or other reasons, is of larger diameter pipe than required to serve the immediate development.

(123) Parcel. A lot or premises serviced by one or more water meter(s) and served, or eligible to be served, with a connection to the public sewer.

(124) Pass Through. A discharge which exits the POTW into waters of the United States or State in quantities or concentrations which, alone or in conjunction with a discharge or discharges from other sources, is a cause of a violation of any requirement of the City's NPDES or FDEP permit(s), including an increase in the magnitude or duration of a violation, or a violation of any agreement, resolution, made or standard for reuse.

(125) Periodic Compliance Report or Self-Monitoring Report. A report on compliance status submitted by categorical industrial users to the Control Authority at least semiannually pursuant to 40 CFR 403.12 (e) and Chapter 62-625.600(4) and (7), F.A.C. or as amended.

(126) Permit. A document issued to the City's WRFs by Federal and State regulatory authorities which sets out provisions or requirements for the disposal or reuse of effluent or biosolids, or discharges from the facility.

(127) Person. Any individual, partnership, co-partnership, firm, company, corporation, association, joint stock company, trust, estate, governmental entity, or any other legal entity; or their legal representatives, agents, or assigns. This definition includes Federal, State, and local governmental entities.

(128) pH. A measure of the acidity or alkalinity of a solution, expressed in standard units.

(129) Pollutant. Constituent(s) or foreign substance(s), including pathogens, that degrade the quality of the water so as to impair or adversely affect the usefulness or function of the water or pose a hazard to public health or the environment. Constituent(s) or foreign substance(s) that are present in water as a result of discharging into said water or waters with the following wastes, but is not limited to: dredged spoil, solid waste, incinerator residue, filter backwash, wastewater, garbage, wastewater biosolids, munitions, medical wastes, chemical wastes, biological materials, radioactive materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt, municipal, agricultural and industrial wastes. Examples of pollutants include, but are not limited to, pH, temperature, TSS, turbidity, color, CBOD, COD, toxicity, odors, metals and organics. Refer to Contaminant.

(130) Pollution. The man-made or man-induced alteration of the chemical, physical, biological, and radiological integrity of water.

(131) Pollution Control Facility. Refer to Water Reclamation Facility.

(132) Pollution Prevention. The use of materials, processes or operation and maintenance practices to reduce or eliminate the generation or creation of pollutants at the source before the constituents can enter the wastestream. Pollution prevention includes, but is not limited to, equipment modifications, process or operating alterations, reformulation or redesign of products, substitution of raw materials, and improvements in housekeeping, maintenance, personnel training or inventory control.

(133) Pollution Prevention Plan. A plan prepared by the user to minimize the likelihood of introducing pollutants in the process wastewater or other types of discharges from their facility.

(134) Pretreatment. The reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater prior to, or in lieu of, introducing such pollutants into the POTW. The reduction or alteration can be obtained by physical, chemical, or biological processes; by process changes; or by other means, except by diluting the concentration of the pollutants, unless allowed by an applicable pretreatment standard (Chapter 62-625.410(6), F.A.C.). Appropriate pretreatment technology includes control equipment, such as equalization tanks of facilities, for protection against surges or slug loading that might interfere with or otherwise be incompatible with the POTW. However, where wastewater from a regulated process is mixed in an equalization facility with unregulated wastewater or flows from another regulated process, the discharge from the equalization facility must meet an adjusted pretreatment limit using the combined wastestream formula.

(135) Pretreatment Facilities. Equipment, structures and processes that are configured together for the treatment of discharges from users to the POTW.

(136) Pretreatment Program. The program administered by the Control Authority that fulfills the criteria set forth in Chapter 62-625.500, F.A.C.

(137) Pretreatment Requirements. Any substantive or procedural requirement related to pretreatment, other than a pretreatment standard, imposed on a user.

(138) Pretreatment Standards or Standards. Any regulation containing pollutant discharge limits, as established pursuant to Chapter 403, F.S., which applies to users. Pretreatment standards include prohibited discharge standards, categorical pretreatment standards, and local limits.

(139) Private Wastewater Collection System. A wastewater collection system installed, maintained, operated, and owned by persons other than the City, and connected to the public sewer.

(140) Private Wastewater Disposal System. A wastewater treatment and disposal facility, other than a septic system, maintained and owned by persons other than the City and not connected to the public sewer.

(141) Process Wastewater. Any water which, during manufacturing or processing, comes into direct contact with or results from the production of or use of any raw material, intermediate product, finished product, byproduct, or waste product.

(142) Programmed Extension. Sewer extensions included in a master plan of the sewer system on file in the office of the Director of Public Works.

(143) Prohibited Discharge Standards or Prohibited Discharges. Absolute prohibitions against the discharge of certain substances which appear in Section 30.03(1) of this Chapter, to protect the POTW.

(144) Properly Shredded Garbage. The wastes from the preparation, cooking, and dispensing of food that have been shredded to such a degree that all chapters will be carried freely under the flow conditions normally prevailing in public sewers, with no chapter greater than one-half inch (1.25 centimeters) in any dimension.

(145) Property Owner. The titleholder of record for the premises being served or proposed to be served with a municipal sewer connection.

(146) Proprietary Information. Information about a commercial chemical, product, or process which is considered to be confidential business information or a trade secret by an industrial user because if divulged, the information could put the industrial user at an unfair competitive disadvantage with competitors in the same industry.

(147) Public Sewer. A sanitary sewer, other than a building sewer, that is owned and/or controlled by the City.

(148) Publicly Owned Treatment Works (POTW). A "treatment works," as defined by Section 212 of the Act (33 USC §1292) which is owned by the City. This definition includes any devices or systems used in the collection, storage, treatment, recycling, and reclamation of wastewater or industrial wastes of a liquid nature and any conveyances which convey wastewater to a treatment plant.

(149) Pump Station or Lift Station. A structure housing pumps and their appurtenances which conveys wastewater to either a privately owned or publicly owned sanitary sewer or treatment works.

(150) Quality Assurance. Refers to a management/administrative check on procedures and practices used during sampling and analysis that ensure the accuracy, precision, reproducibility and representativeness of the reported data.

(151) Receiving Waters. A water course or surface water body that is the designated destination for a direct discharge.

(152) Reclaimed Water. Effluent from an advanced secondary treatment facility or WRF that complies with the standards defined by FDEP and is used for a beneficial purpose.

(153) Regulated Wastestream. An industrial process wastestream regulated by a national categorical pretreatment standard.

(154) Removal. A reduction in the amount of a pollutant in the WRF's effluent or alteration of the nature of a pollutant during treatment at the WRF. The reduction or alteration can be achieved by physical, chemical, or biological means and may be the result of specifically designed capabilities at the WRF or may be incidental to the operation of the treatment system. Dilution shall not be considered removal.

(155) Representative Sample. A sample from a wastestream that is as nearly identical in composition as possible to the larger volume of flow stream that is being discharged during a normal operating day.

(156) Residuals. The solid, semisolid or liquid residues that are generated during the treatment of wastes or wastewater in a pretreatment or treatment facility. Typically does not include grit, screenings or incinerator ash. Refer to biosolids or sludge.

(157) Sanitary Sewer. A pipe, which carries wastewater and to which storm, surface and ground waters are typically not intentionally admitted.

(158) Search Warrant. A document issued by a magistrate or judge who authorizes government entry into private premises to either observe compliance with applicable laws or collect evidence of noncompliance.

(159) Self-monitoring. Sampling and analyses performed by the user to ensure compliance with the permit or other regulatory requirements as set forth in 40 CFR 403.12 (b) and (g), and Chapter 62-625.600, F.A.C.

(160) Septage. The liquid and biosolids produced in individual on-site wastewater treatment systems, such as septic tanks and cesspools.

(161) Septic system. A privately owned, on-site wastewater treatment and disposal system consisting of a septic tank(s) and drainfield(s), sized and constructed in accordance with the applicable state and local regulations and guidelines.

~~(161)~~(162) Septic Tank Pumpings. Any material removed from holding tanks or individual on-site wastewater treatment systems, such as vessels, campers, trailers, septic tanks, and cesspools.

~~(162)~~(163) Septic Tank Waste. Any wastewater from holding tanks or individual on-site wastewater treatment systems, such as vessels, campers, trailers, septic tanks, and cesspools.

~~(163)~~(164) Septicity. The condition resulting from biological degradation of organic materials in wastewater in the absence of free oxygen, either in solution or in the environment, usually resulting in production of hydrogen sulfide and odors.

~~(164)~~(165) Settleable Solids. That matter in wastewater not staying in suspension during a pre-selected settling period, such as one hour, but either settles to the bottom or floats to the top.

~~(165)~~(166) Severe Property Damage. Substantial physical damage to property, a user's pretreatment facilities which renders them inoperable, or substantial and permanent loss of natural resources which can reasonable be expected to occur in the absence of a bypass. Economic loss due to delays in production shall not be considered severe property damage.

~~(166)~~(167) Sewage. Refer to Wastewater.

~~(167)~~(168) Sewage Treatment Plant. Refer to Wastewater Treatment Plant or Water Reclamation Facility.

~~(168)~~(169) Sewer. A pipe or conduit for carrying wastewater.

~~(169)~~(170) Sewerage Benefit Fees are a combination of:

(a) Wastewater Collection System Charges, and
(b) Water Pollution Control Charges.

~~(170)~~(171) Sewerage System. Any devices and systems used in the collection, transmission, storage, treatment, recycling and reclamation of domestic wastewater or industrial wastes of a liquid nature including interceptor sewers, outfall sewers, wastewater collection systems, pumping, power, and other equipment and appurtenances; extensions, improvements, remodeling, additions and alterations thereof; elements essential to provide a reliable recycled supply such as standby treatment units and clear well facilities; and any works, including land that will be an

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integral part of the treatment process or is used for ultimate disposal of residues resulting from such treatment; and including combined stormwater and sanitary sewer system. Refer to POTW.

~~(171)~~(172) Shall is mandatory. May is permissive or discretionary.

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~~(172)~~(173) Significant Commercial User. Any nonresidential user of the City wastewater system which has:

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(a) A discharge flow of ten thousand (10,000) gallons or more per day during any day of any calendar year; or

(b) A discharge containing one (1) or more abnormally high strength compatible pollutants; or

(c) A discharge which has been found by the Director of Public Works or FDEP to potentially have a significant impact, either singly or in combination with other contributing users, on the City's wastewater system.

(173) Significant Industrial User (SIU). Any nonresidential user of the City wastewater system which meets one or more the following criteria:

(a) A user subject to categorical pretreatment standards pursuant to 40 CFR, Subchapter N, Parts 405-471, and as adopted by reference in Chapter 62-660, F.A.C.; or

(b) A user that:

(i) Discharges an average of twenty-five thousand (25,000) gpd or more of process wastewater to the POTW, excluding sanitary wastewater, noncontact cooling water and boiler blowdown; or

(ii) Contributes a process wastestream which makes up five (5) percent or more of the average dry weather hydraulic or organic capacity of the wastewater treatment plant; or

(iii) Is designated as such by the City on the basis that it has a reasonable potential for adversely affecting the POTW's operation or for violating any pretreatment standard or requirement in accordance with Chapter 62-625.500(2)(e), F.A.C.

(c) Upon a finding that a user meeting the criteria in Subsection (b) above has no reasonable potential for adversely affecting the POTW's operation or for violating any pretreatment standard or requirement, the City may at any time, on its own initiative or in response to a petition received from a user, and in accordance with procedures in 40 CFR 403.8 (f) (6) and Chapter 62-625.410, F.A.C., determine that such user should not be considered a significant industrial user.

(174) Significant Noncompliance (SNC). A nonresidential user is in significant noncompliance if the violation meets one or more of the following criteria as defined in 40 CFR 403.8(4)(2)(vii) and Chapter 62-625.500(2):

(a) Chronic violations of wastewater discharge limits;

(b) Technical Review Criteria (TRC) violations;

(c) Any other violation of a pretreatment effluent limit that the Director of Public Works believes has caused, alone or in combination with other discharges, interference or pass through, including endangering the health of POTW personnel or the general public;

(d) Any discharge of pollutants that has caused imminent endangerment to the public or to the environment, or has resulted in the Director of Public Works exercising emergency authority to halt or prevent such a discharge;

(e) Failure to meet, within ninety (90) days of the scheduled date, a compliance schedule milestone contained in an Industrial User Discharge Permit or enforcement order for starting construction, completing construction, or attaining final compliance;

(f) Failure to provide within thirty (30) days after the due date, any required reports, including baseline monitoring reports, reports on compliance with categorical pretreatment standard deadlines, periodic self-monitoring reports, and reports on compliance with compliance schedules;

(g) Failure to accurately report noncompliance; or

(h) Any other violation(s), which the Director of Public Works determines, will adversely affect the operation or implementation of the local pretreatment program.

(175) Significant Violation. A violation of this Ordinance which, in the opinion of the City, remains uncorrected thirty (30) days after notification of noncompliance; or, which is part of a pattern of noncompliance; or, which involves failure to accurately report noncompliance; or, which resulted or results in the City exercising its emergency authority under this or any related Chapter of the City Code.

(176) Silver-Rich Solution. A solution containing sufficient silver that cost-effective recovery of the constituent could be done. Silver-rich solutions include fixers, bleach-fixers, low-flow washes and other functionally similar solutions.

(177) Silver Test Paper. A test paper coated with an analytical reagent which reacts by changing color in relationship to the amount of silver in the solution. A reference color code allows determination of the approximate concentration of silver in the solution.

(178) Sludge. The accumulated solids or residuals separated from liquids or wastes during

chemical treatment, coagulation, flocculation, sedimentation, flotation or biological oxidation of wastes or wastewater at a pretreatment or treatment facility. Refer to biosolids or residuals.

(179) Slug Discharge or Slug. Any discharge of a nonroutine or episodic nature. That is, a discharge at a flow rate or concentration, which could cause a violation of the prohibited discharge standards or local pollutant limits in Section 30.03 of this Chapter, or interferes with the operation of the treatment works.

(180) Slug (Accidental) Discharge Control Plan. Detailed plans, on file at the Department of Public Works, showing facilities and operating procedures to provide control of slug discharges. Significant Industrial Users shall complete construction of facilities and provide operating procedures to the City within the time frame specified by the Director of Public Works, however, absolutely within one (1) year of notification. Review and approval of the Plan shall not relieve the Significant Industrial User from the responsibility to modify its facility, as necessary, to meet each and every requirement of this Chapter.

(181) Source Control or Reduction. Control of the introduction of pollutants into a user's discharge at the point of production or their origins. Refer to pollution prevention.

(182) Spill Containment Plan (SCP). A detailed plan, prepared by the user, showing facilities and operating procedures to prevent and to provide protection from spills.

(183) Spill Prevention (Accidental Discharge) and Control Plan. A plan prepared by a user to minimize the likelihood of a spill and to expedite control and cleanup activities should a spill occur.

(184) Split Sample. A portion of a collected sample given to the industry or to another agency for the purpose of verifying or comparing laboratory results.

(185) Standard Industrial Classification (SIC) Code. A classification system to identify various types of industries that is based upon the type of manufacturing or commercial activity at a facility pursuant to the *Standard Industrial Classification Manual*, current edition, United States Office of Management and Budget.

(186) *Standard Methods for the Examination of Water and Wastewater (Standard Methods)*, current edition. Reference of analytical protocols and sample collection procedures as published jointly by the American Public Health Association, Water Environment Federation, and American Water Works Association.

(187) *Standard Plumbing Code,* current edition. Reference of building codes for plumbing systems, including building drains and grease management devices, contained in the *Southern Building Code* as published by the Southern Building Code Congress International, Inc., and adopted by the City's Office of Permitting Services.

(188) State. State of Florida.

(189) Stormwater. Any flow occurring during or following any form of natural

precipitation, and resulting therefrom.

(190) Stormwater System (Storm Drain or Storm Sewer). A collection system which carries storm and surface waters and drainage, but excludes wastewater and industrial wastes, other than unpolluted cooling water.

(191) Surcharge. A charge to a user for the discharge of abnormally high strength compatible pollutants to the POTW, that is, above the standards or criteria set forth in this Chapter. The charge is based on the loading of a particular pollutant in pounds from a significant commercial user; and is levied in addition to the regular sewer service charges or fees.

(192) Surface Waters. Any watercourse, stream, river, lake, lagoon, or other geological feature that contains water on the surface of the earth whether contained in bounds created naturally, artificially or diffused.

(193) Suspended Solids. The total suspended matter that floats on the surface of, or is suspended in, water, wastewater, or other liquids, and which is removable by laboratory filtering in accordance with EPA protocols or *Standard Methods*, latest edition.

(194) Technical Review Criteria (TRC). Violations in which thirty-three percent (33%) or more of wastewater measurements taken for each pollutant parameter during a six (6) month period equals or exceeds the product or the local pollutant limit multiplied by the applicable criteria (1.4 for BOD, TSS, fats, oils and grease, and 1.2 for all other pollutants except pH).

(195) Time Proportional Composite Sample. A mixture of discrete, equal volume, grab samples taken at different times at the same monitoring location. The time inter- val is proportional to the flow volume or rate.

(196) Total Kjeldahl Nitrogen (TKN). The analytical quantity of organic nitrogen and ammonia that is determined together and is equal to the sum of the concentration of ammonia and organically bound nitrogen in the tri-negative oxidation state.

(197) Total Metals (TM). The sum of the concentrations of copper, nickel, total chromium and zinc. If the concentration of a pollutant is below the detection limit, then one-half (1/2) of that value shall be used in this determination.

(198) Total Nitrogen (TN). The sum of the concentrations of the various forms of nitrogen which, in general, include TKN, nitrite and nitrate.

(199) Total Phosphorus (TP). The sum of the concentrations of the various phosphate functions, which, in general, includes orthophosphate, condensed phosphates and organic phosphorus.

(200) Total Recoverable Petroleum Hydrocarbons (TRPH). The quantity of those substances as determined by the EPA Method 418.1; that is, organic compounds containing less that twenty (20) carbon atoms and are extractable into an organic

liquid.

(201) Total Toxic Organics (TTO). The summation of all quantifiable values greater than 0.01 milligrams per liter (mg/l) of specific toxic organics, as listed in 40 CFR 413.02 (i), present in the user's process discharge.

(202) Toxic Pollutant. Any pollutant or combination of pollutants listed as toxic in regulations promulgated by the EPA Administrator under the provision of Section 307 (a)(1) or 405 (d) of the Act or other laws, or by FDEP pursuant to Florida Statutes. In general, a pollutant or combination of pollutants which, following discharge and upon exposure, ingestion, inhalation or assimilation into any organism, can cause illness, disease, death, mutations, deformities or other maladies into said organisms or their offspring.

(203) Toxicant. A substance that kills or injures an organism through its chemical or physical action or by alteration of its environment. Examples include cyanides, phenols, pesticides and heavy metals.

(204) Transporter. A user who conveys wastes from the site of generation to an approved facility or location for treatment, disposal or reuse (recycling). The transporter is responsible for complying with applicable Federal, State and local regulations regarding transportation of the produced wastes.

(205) Turbidity. A condition in water or wastewater caused by the presence of suspended matter, resulting in the scattering and absorption of light rays. Also, a measure of fine suspended matter in liquids; usually reported in Nephelometric Turbidity Units (NTU) as determined by measurements of light diffraction.

(206) Twenty-Four Hour, Flow Proportional Composite Sample. A mixture of discrete sample aliquots that are collected during a twenty-four (24) hour period. Sample aliquot volumes are proportional to the flow, are taken at constant time intervals, and combined to form a representative sample.

(207) Under-the-Sink Oil and Grease Trap. A City approved device that is designed for a flow of less than fifty (50) gpm and installed inside the building beneath or in close proximity to the sink or other facilities likely to discharge oil and grease substances from animal or vegetable sources in an attempt to separate, trap or store their fat-soluble substances and prevent their entry into the collection system.

(208) Unpolluted Water. Water to which no constituent or characteristic, such as heat, has been added, either intentionally or accidentally, which would render such water unacceptable to any person having jurisdiction thereof for disposal to a storm or natural outlet or directly to surface waters.

(209) Unregulated Wastestream. A wastestream neither regulated by a national categorical pretreatment standard nor considered a dilute wastestream.

(210) Upset. An exceptional incident in which there is unintentional and temporary non-compliance with applicable categorical pretreatment standards because of factors

beyond the reasonable control of the industrial user. An upset does not include temporary noncompliance to the extent caused by, but not limited to, force majeure, operational error, lack of preventive maintenance, careless or improper operation, and improperly designed or inadequate treatment facilities as described in 40 CFR 403.16 (a) and Chapter 62-625.840, F.A.C.

(211) User. A discharger to the POTW.

(212) Waste Minimization. Conservation of materials to reduce the source of pollutants or wastes.

(213) Wastewater. The spent or used water containing dissolved and suspended structures, such as, but not limited to, industrial and domestic wastes from residential dwellings, commercial buildings, industrial and manufacturing facilities, and institutions, whether treated or untreated, which are contributed to the POTW.

(214) Wastewater Collection System Charge. A charge for establishing, extending, oversizing or otherwise making available the City wastewater collection system, including, but not limited to, lateral, branch, and trunk sewers, to a point of reasonable availability to the property so assessed.

(215) Wastewater Constituents and Characteristics. The individual chemical, physical, bacteriological and radiological parameters, including volume and flow rate and such other parameters that serve to define, classify or measure the contents, quality, quantity and strength of wastewater.

(216) Wastewater Treatment Plant. Refer to Water Reclamation Facility.

(217) Water Course. An artificially created or naturally occurring geological feature that contains surface water on either a continuous or intermittent basis.

(218) Water Management Division Director. The Director of the Water Management Division within the EPA, Region IV office in Atlanta, or that person's delegated representative.

(219) Water Pollution Control Charge. A charge on real property for new or expanded facilities and/or that portion of components to convey, (excluding that portion of the wastewater collection system included under the definition of wastewater collection system charge to treat and to dispose of wastewater necessitated by new or increased development.

(220) Water Reclamation Facility (WRF). That portion of the POTW, which is designed to provide treatment of domestic and industrial wastes.

(221) Waters of the State. As defined in Section 403.031 (13), F.S. or Chapter 62-302, F.A.C. or elsewhere in Chapter 62, F.A.C.

(b) Terms not otherwise defined herein shall be adopted by reference as defined in the latest edition of Title 40 of the *Code of Federal Regulations*, Chapter 62 of the Florida

Administrative Code, *Standards Methods*, as published by the American Public Health Association, the American Water Works Association and the Water Environment Federation; the Manual of Practices as researched and published by the Water Environment Federation, American Society of Civil Engineers (ASCE) and the American Society of Testing Materials (ASTM); applicable building and plumbing codes; and the Guidance Manuals and protocols that are prepared and published by the U.S. Environmental Protection Agency (EPA) and the Florida Department of Environmental Protection (FDEP).

SECTION 30.02 - GENERAL SEWER USE REQUIREMENTS

1. Use Of Sewers Required

(a) It shall be unlawful for any person to place, deposit or permit to be deposited in any unsanitary manner on public or private property within the City, or in any area under the jurisdiction of the City, any human or animal excrement, garbage or other objectionable waste.

(b) It shall be unlawful to discharge to any natural outlet within the City, or in any area under the jurisdiction of the City, any wastewater or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this Chapter.

(c) Except as hereinafter provided, it shall be unlawful to construct or maintain any privy, privy vault, septic systems~~tanks~~, cesspool or other facility intended or used for the treatment or disposal of wastewater.

(d) The owner of all houses, buildings or properties used for human occupancy, employment, recreation or other purposes, situated within the City and abutting on any easement, street, alley, or right-of-way~~, or easement~~ in which there is now located or may in the future be located a public sanitary sewer of the City, is hereby required at his expense to install suitable toilet facilities therein, and to connect such facilities with the ~~proper~~ public sewer in accordance with the provisions of this Chapter, the Florida Statutes and the rules and regulations of the Florida Department of Health. ~~within ninety (90) days after date of official notice to do so; provided, that the public sewer is within one hundred feet (30.5 meters) of the property line.~~

(e) The owner of a house, building or property who is directed to or ~~is directed or~~ elects to connect property that is served by a septic system to the public sewer or is required to connect to the public sewer because of a failure of or proposed expansion to the septic system may be eligible for a credit on the cost of connection. Eligibility for and the amount of the credit shall be determined under the guidelines set out in Section 30.21, Septic System Abandonment Credit.

(f) In isolated hardship instances, the Director of Public Works, pursuant to Florida Statutes, may exempt owners of property from the mandatory sewer connection provision of Section 30.02 (1e) upon a finding that the connection to the public sewer is not feasible. The determination of nonfeasibility may be based upon financial considerations or physical obstructions, which restrict connection to the sewer system. All requests from owners of property for an exemption from the mandatory sewer connection shall be submitted in writing to the Director of Public Works and shall contain the name of the property owner, the address and legal description of the property, the present use of the property, any proposed change in the use of the property and the justification for the requested exemption. The Director of Public Works shall review the request and shall grant or deny the request in writing, citing the specific reasons for the denial thereof, within thirty (30) days following receipt of the completed application for an exemption. Failure of the Director of Public Works to make a determination within the said thirty (30) day period shall be deemed to constitute a denial of the request for an exemption. All denials of request for an exemption are subject to an administrative review by the City Council.

2. Private Wastewater Disposal

(a) Where a public sanitary sewer is not available under the provisions of Section 30.02 (1), the lateral shall be connected to a private wastewater disposal system or septic system complying with the provisions of this Chapter.

(b) Before commencement of construction, reconstruction, enlargement, modification, or improvement of a private wastewater disposal system, the property owner shall first obtain a written permit signed by the Director of Public Works. ~~In the event that the private wastewater disposal system is~~ Before commencement of construction, reconstruction, enlargement, modification, or improvement of a septic system~~tank~~, the property owner shall obtain a permit through the appropriate State and/or County agency; no City permit for septic ~~tank~~ system construction or modification will be required. All other systems will be subject to a City permit. The application for such permit shall be made on a form furnished by the City, which the applicant shall supplement with any plans, specifications and other information as are deemed necessary by the Director of Permitting Services. A permit and inspection fee shall be paid to the City at the time the application is filed.

(c) A permit for a private wastewater disposal system shall not become effective until the installation is completed and has been inspected by the Office of Permitting Services and approved by the Director of Public Works. A City representative shall be allowed to inspect the work at any stage of construction and, in any event, the applicant for the permit shall notify the Director of Permitting Services when the work is ready for final inspection, and before any underground portions are covered. The inspection shall be made within two (2) days, excluding Saturday, Sunday and holidays, of the receipt of notice by the Director of Permitting Services.

(d) The type, capacities, location, and layout of a private wastewater disposal system and septic system shall comply with all applicable requirements of the Orange County Health Department and the Florida Department of Children and Family Services or its successor. No septic ~~tank~~ system or cesspool shall be permitted to discharge to any natural outlet.

(e) At such time as a public sewer becomes available to a property served by a private wastewater disposal system, or as required by the Director of Public Works, as provided in Section 30.02 1 (d), a direct connection shall be made to the public sewer in compliance with this Chapter, and any ~~septic tanks, cesspools and similar~~ private wastewater disposal facilities shall be abandoned and rendered unusable with the exception of components of the system that are necessary for the conveyance of sewage to the public sewer.~~filled with suitable material.~~

(f) If otherwise approved by the Florida Department of Health, property served by an adequately functioning septic system shall not be required to connect to the public sewer until such time as the septic system tank or drainfield needs replacement, the system is condemned by regulatory health authorities, or the system requires expansion or relocation as a result of proposed improvements to or on the property. In cases where the septic system has failed and needs replacement, the property shall connect to the public system within 30

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days of the determination that the septic system is no longer functioning adequately and presents a possible health hazard to the property owner or community.

~~(f)~~(g) The property owner shall construct the private wastewater disposal system at no cost to the City. The property owner shall operate and maintain the private wastewater disposal system in a sanitary and effective manner at all times, at no expense to the City.

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~~(g)~~(h) No statement contained in this section shall be construed to interfere with any additional or more stringent requirements that may be imposed by health officers or other regulatory agencies.

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3. Private Wastewater Collection System Connected To POTW

(a) Before commencement of construction, reconstruction, enlargement, modification or improvement of a private wastewater collection system~~,~~ connected to a POTW, the property owner shall first obtain a written permit signed by the Director of Public Works. The request for such permit shall be made to the City, and the applicant shall ~~supplement by~~ provide any plans, specifications and other information as are deemed necessary by the Director of Permitting Services or the Director of Public Works. A permit and inspection fee shall be paid to the City at the time the application is filed.

(b) The type, capacities, location and layout of a private wastewater collection system connected to a POTW shall comply with all standards and requirements of the Department of Public Works.

(c) A permit for a private wastewater collection system connected to a POTW system shall not become effective until the private wastewater collection system is completed and has been inspected and approved by the Director of Permitting Services. He shall be allowed to inspect the work at any stage of construction and, in any event, the applicant for the permit shall notify the Director of Permitting Services when the work is ready for final inspection, and before any underground portions are covered. The inspection shall be made within two (2) days, excluding Saturday, Sunday and holidays, of the receipt of notice by the Director of Permitting Services.

(d) Prior to release of the certificate of occupancy, certification that all sewer lines are constructed in accordance with City design standards and so as to preclude any infiltration or exfiltration shall be furnished to the City. A closed circuit television (CCTV) inspection of all private wastewater collection systems shall be performed prior to releasing the system for use. The owner of the system shall provide a copy of the CCTV logs and videotape of the inspection to the City for review and approval. The CCTV videotape shall be in VHS format, shall be in color with a clear picture, have audio voice-over comments and shall display the footage throughout the line segment continuously on the image. The CCTV inspection and subsequent submittals to the City shall be done at the sole expense of the owner. The owner shall make all necessary repairs to the private wastewater collection system at their expense, and to the satisfaction of the Director of Public Works.

(e) All costs and expenses incident to the installation and connection of the private wastewater collection system shall be borne by the property owner. The property owner shall indemnify the City from any loss or damage that may directly or indirectly be occasioned by the installation or connection of the private wastewater collection system.

(f) The property owner shall operate and maintain the private wastewater collection system in a sanitary and effective manner at all times, at no expense to the City.

(g) Private sewers shall be maintained so as to preclude the entrance of any infiltration and inflow. Should it be determined by the Director of Public Works that infiltration/inflow are entering the public sewer from a private wastewater collection system, the property owner shall be responsible for determining the cause(s) and for making all necessary repairs to the system, to the Director of Public Works' satisfaction. All work shall be done by a contractor experienced in sewer rehabilitation work and acceptable to the Director of Public Works. Televising of the private sewer lines and submission of TV logs, night time flow weiring and smoke testing shall be required if determined necessary by the Director of Public Works.

(h) All operation, maintenance, and repair of private lift stations and pumping facilities shall be done by a reputable person or firm experienced in the operation, maintenance and repair of such facilities. Upon demand, property owner shall furnish such proof, as the Director of Public Works deems necessary, to demonstrate that the person or firm is fully qualified to perform the aforementioned tasks. The City shall have the right to inspect all private wastewater collection systems and appurtenances, and to cause discontinuance of sewer service if the private wastewater collection system is not maintained in a sanitary and effective operating condition or if the public sewer facilities may be harmed thereby.

(i) The owner of a private sewage collection system shall be responsible for notifying the Orange County Environmental Protection Department and the Florida Department of Environmental Protection in the event that a sewage overflow or spill occurs within the owner's system within 24 hours of the event taking place. The owner shall take whatever measures are necessary to protect the public health and the environment from contamination as a result of a sewage overflow. The owner shall clean-up overflows or spills as soon as possible after their discovery.

(j) The City shall be responsible for the maintenance of the public sewer and for providing service to receive the approved sewer discharge from the private wastewater collection system.

4. Laterals And Connection

(a) No unauthorized person shall uncover, make any connections with or opening into, use, alter, or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the Director of Permitting Services. Lateral connections shall be made by licensed and bonded plumbers or underground utility contractors. The property owner shall be responsible for paying a sewer connection permit fee in accordance with the fee schedule adopted by City Council.

(b) No unauthorized person shall maliciously, willfully or negligently break, damage, destroy, uncover, deface or tamper with any structure, appurtenance, or equipment which is a part of the public sewerage system.

(c) All costs and expenses incident to the installation and connection of the lateral shall be borne by the property owner. The property owner shall indemnify the City from any loss or damage that may directly or indirectly be occasioned by the installation of the lateral.

(d) A separate and independent lateral shall be provided for every building; except where one building stands at the rear of another on an interior lot and no lateral is available or can be constructed to the rear building through an easement, adjoining alley, court, yard or driveway. The lateral from the front building may be extended to the rear building, and the whole considered as one lateral. In such case, the property owner shall be required, as a condition to such approval, to execute an agreement as prescribed by the City, that shall require the property owner to grant an easement for the continued joint use of the lateral to the rear building, in the event the two buildings are ever sold separately, and such agreement shall be recorded in the public records. In the event that the building is a duplex, each side of the duplex shall have a separate and independent lateral unless the units are vertically stacked and the building drains are joined within the structure.

(e) In the event of site demolition and reconstruction, the old lateral(s) may be used in connection with new building(s). Should there be any question about the integrity of the old lateral, the Director of Public Works shall cause the lateral to be inspected and verify that it is suitable for use. In the event that the lateral is not suitable, the property owner shall be responsible for installing the number of laterals needed to adequately serve the site.

(f) The size, slope, alignment, materials of construction of a lateral and the methods to be used in excavating, placing of the pipe, jointing, testing and backfilling the trench, shall all conform to the requirements of the building and plumbing codes, and the City's *Engineering Standards Manual*, latest edition. Such connections shall be made gas tight and watertight. Any deviation from the prescribed procedures and materials must be approved by the Director of Public Works before installation.

(g) Whenever possible, the lateral shall be brought to the building at an elevation below the basement floor. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary wastewater carried by such building drain shall be lifted by an approved pumping system and discharged to the lateral.

(h) No person shall make connection of roof downspouts, exterior foundation drains, areaway drains, or any other sources of surface water runoff or groundwater to a lateral or building drain which in turn is connected directly or indirectly to the City's sanitary sewer unless the connection has been reviewed and approved by the Director of Public Works.

(i) The applicant for the lateral permit shall notify the Director of Permitting Services when the lateral is ready for inspection and connection to the City's sanitary sewer. The connection shall be made under the supervision of the Director of Permitting Services.

(j) All excavations for building sewer installation shall be adequately guarded with barricades, ~~and~~ lights and any other safety devices as needed ~~so as~~ to protect the public from hazard. Streets, sidewalks, parkways and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the City.

(k) The customer shall be responsible for the maintenance and internal cleanliness of the lateral; specifically all plumbing from the public sewer into and including the house

plumbing. The City shall be responsible for repairing structural defects in the lateral from the public sewer to the property line. The property owner shall be responsible for lateral repairs from the property line up to and including the building drain. The City shall have the right to inspect the lateral and to cause discontinuance of sewer service to any property where the plumbing is not maintained in a sanitary and effective operating condition or if the public sewer facilities may be harmed thereby.

(l) As determined by the Director of Public Works, garages and other establishments where petroleum-based products, such as gasoline, is used, or where wastes containing oil and grease in excessive amounts, sand, or other harmful ingredients can be discharged, and which are connected with municipal sewers, shall be provided with a suitable device for removal of these items. Users shall be subject to provisions of the Pretreatment Program, the Oil and Grease Management Program or Surcharge Program as set forth in Sections 30.03 and 30.15, respectively, and to the provisions in this Chapter.

(m) Where pretreatment or flow-equalizing facilities or traps or separators are provided for any waters or wastes, they shall be maintained continuously and in satisfactory and effective operation by the property owner or the user, and at his sole expense.

(n) The City shall be responsible for the maintenance of the public collection system and for providing service to receive the approved wastewater discharge from the ~~building sewers~~laterals.

SECTION 30.03 - PRETREATMENT OF WASTEWATER

1. Prohibited Discharge Standards

(a) General Prohibitions

(i) No user shall introduce or cause to be introduced into the POTW any pollutant or wastewater, which causes pass through or interference. These general prohibitions apply to all users of the POTW whether or not they are subject to categorical pretreatment standards or any other Federal, State, or local pretreatment standards or requirements.

(ii) No person shall discharge or cause to be discharged any stormwater, surface water, groundwater, roof runoff, sub-surface drainage, uncontaminated cooling water, or unpolluted industrial process waters to any public sewer unless previously approved by the Director of Public Works.

(iii) Stormwater, other unpolluted drainage, industrial cooling water or unpolluted process waters may be discharged with written approval of the Director of Public Works, to a specifically designated stormwater system or natural outlet.

(b) Specific Prohibitions

No user shall introduce or cause to be introduced into the POTW the following pollutants, substances, or wastewater:

(i) Pollutants which create a fire or explosive hazard in the POTW, either singly or in combination with other substances, including, but not limited to, wastestreams with a closed-cup flashpoint of less than 140°F (60°C) using the test methods specified in 40 CFR 261.21, or as amended;

(ii) Wastewater having a pH less than 5.5, or more than 9.5, or otherwise causing corrosive structural damage to the POTW or equipment;

(iii) Solids or viscous substances in quantities or of such size that are capable of causing obstruction to the flow in sewers, or other interference with the proper operation of the treatment works such as, but not limited to, grease, ashes, cinders, grass clippings, sand, mud, grit, gravel, screenings, straw, shavings, metal, glass, rags, wastepaper, feathers, tar, asphalt residues, plastics, wood, unground garbage, whole blood, paunch manure, hair and fleshings, bones, entrails, or paper or plastic dishes, cups, milk containers, either whole or ground by garbage grinders;

(iv) Any noxious or malodorous liquids, gases, or solids which either singly or by interaction with other wastes are sufficient to create a public nuisance or hazard to life or are sufficient to prevent entry into the sewers for their maintenance and repair;

(v) Any pollutants, including oxygen-demanding pollutants released in a discharge at a flow rate and/or pollutant concentration which, either singly or by interaction with other pollutants, will cause pass through or interference with the POTW; or any materials that may contribute, exert, or cause:

(a) Inert suspended solids, such as, but not limited to, fullers earth, lime slurries and lime residues; or dissolved solids, such as, but not limited to, sodium chloride and sodium sulfate;

(b) Excessive discoloration, such as, but not limited to, dye wastes and vegetable tanning solutions;

(c) Carbonaceous biochemical oxygen demand (CBOD), chemical oxygen demand (COD), or chlorine demanding compounds in such quantities as to constitute a significant load on the wastewater treatment works; or

(d) Volumes of flow or concentration of wastes constituting slug discharges, as defined herein.

(vi) Petroleum oils, fuels, lubricants, nonbiodegradable cutting oil, or products of mineral oil origin, in amounts that will cause interference or pass through;

(vii) Pollutants which result in the production of toxic gases, vapors, or fumes within the POTW in a concentration or quantity that may cause acute worker health and safety problems;

(viii) Trucked or hauled wastes, except at discharge points designated by the Director of Public Works in accordance with Section 30.03(11) of this Chapter;

(ix) Any substance which may cause the POTW's effluent or any other product of the POTW such as residues, biosolids, or scums to be unsuitable for reclamation and reuse or to interfere with the reclamation process where the POTW is pursuing a reuse and reclamation program. In no case, shall a substance discharged to the POTW cause the POTW to be in noncompliance with biosolids use or disposal criteria, guidelines or regulations developed under Section 405 of the Act; any criteria, guidelines, or regulations affecting biosolids use or disposal developed pursuant to the Solid Waste Disposal Act, the Clean Air Act, the Toxic Substances Control Act, or State criteria applicable to the biosolids management method being used;

(x) Any substance which will cause the POTW to violate its NPDES, FDEP or other applicable permit(s), the receiving water quality standards, reuse water quality requirements, or violate an agreement for receipt of and reuse of reclaimed water;

(xi) Any wastewater having a temperature which will inhibit biological activity at the WRF or interfere with treatment processes as defined in this Chapter shall not be discharged in such quantities to raise the temperature of the influent headworks above 104°F (40°C). Unless a higher temperature is allowed in the Industrial User Discharge Permit, no user shall discharge into any sewer, or other appurtenance of the wastewater system, wastes with a temperature exceeding 140°F (60°C);

(xii) Any water or waste containing fats, wax, grease, vegetable oils, or petroleum based oils and grease, whether emulsified or not, in excess of two hundred fifty (250) mg/l or containing substances which may solidify or become viscous at temperatures between 32°F and 140°F (0°C and 60°C);

(xiii) Any garbage that has not been properly shredded. The installation and operation of any garbage grinder equipped with a motor of three-fourths horsepower (0.76 hp metric) or greater shall be subject to the review and approval of the Director of Public Works;

(xiv) Any waters or wastes containing phenols or other taste or odor-producing substances, in such concentrations exceeding limits which may be established by the Director of Public Works, as necessary, to meet the requirements of the Federal, State or other public agencies of jurisdiction for such discharge to the receiving waters;

(xv) Wastewater which imparts color that cannot be removed by the treatment process, such as, but not limited to, dye wastes and vegetable tanning solutions, which consequently imparts color to the treatment plant's effluent, thereby violating standards for disposal or reuse;

(xvi) Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the Director of Public Works or applicable Federal or State regulations;

(xvii) Biosolids, screenings, or other residues from the pretreatment of industrial wastes;

(xviii) Medical, biological, or biohazardous wastes, except as specifically authorized by the Director of Public Works in an Industrial User Discharge Permit;

(xix) Wastewater causing, alone or in conjunction with other sources, the treatment plant's effluent to fail a toxicity test;

(xx) Detergents, surface-active agents, or other substances which may cause excessive foaming in the POTW;

(xxi) Wastewater causing any single reading on an explosion hazard meter equal to or greater than five percent (5%) at the point of discharge into the POTW, or at any point in the POTW as calibrated using propane for one-hundred percent (100%) of the meter.

(xxii) Stormwater, surface water, ground water, artesian well water, roof runoff, subsurface drainage, swimming pool drainage, condensate, deionized water, noncontact cooling water, treated hazardous wastes and unpolluted wastewater, unless specifically authorized by the Director of Public Works;

(xxiii) Pollutants, substances, or wastewater prohibited by this section shall not be processed or stored in such a manner that they could be discharged to the POTW;

(xxiv) Industrial users shall notify and obtain approval from the Director of Public Works, the EPA Regional Waste Management Division Director, and State hazardous waste authorities in writing of any discharge to the POTW of a substance which, if otherwise disposed of, would be a hazardous waste. Such notification shall comply with 40 CFR 403.12 and Chapter 62-625.600(15), F.A.C, or as amended.

2. National Categorical Pretreatment Standards

(a) Certain industrial users are now or hereafter shall become subject to National Categorical Standards promulgated by the Environmental Protection Agency (EPA) as currently in effect or any other Federally-approved limits which may come into effect. The National Categorical Standards specify quantities or concentrations of pollutants or pollutant properties, which may be discharged into the POTW. All industrial users subject to a National Pretreatment Standard shall comply with all requirements of such standard, which includes any monitoring or reporting requirements, and shall also comply with any additional or more stringent limitations contained in this Chapter. Compliance with National Pretreatment Standards for existing sources subject to such standards or for existing sources which hereafter become subject to such standards shall be within three (3) years following promulgation of the standards unless a shorter compliance time is specified in the standard or required by the City. Compliance with National Pretreatment Standards for new sources shall be required upon promulgation of the standard.

(b) The categorical pretreatment standards found in 40 CFR 405 through 471, or as amended, and which have been incorporated by reference in Chapter 62-660, F.A.C., or as amended, are hereby incorporated herein.

(c) Where a categorical pretreatment standard is expressed only in terms of either the mass or the concentration of a pollutant in wastewater, the Director of Public Works may impose equivalent concentration or mass limits in accordance with 40 CFR 403.6(c) and Chapter 62-625.410(4)(b), F.A.C, or as amended.

(d) When wastewater subject to a categorical pretreatment standard is mixed with wastewater not regulated by the same standard, the Director of Public Works shall impose an alternate limit using the combined wastestream formula as defined in 40 CFR 403.6(e) and Chapter 62-410(6), F.A.C, or as amended.

(e) A user may obtain a variance from a categorical pretreatment standard if the user can prove, pursuant to the procedural and substantive provisions in 40 CFR 403.13 and Chapter 62-625.700, F.A.C., or as amended, that factors relating to its discharge are fundamentally different from the factors considered by EPA when developing the categorical pretreatment standard.

(f) A user may obtain a net gross adjustment to a categorical standard in accordance with 40 CFR 403.15 and Chapter 62-625.700, F.A.C, or as amended.

3. Local Pollutant Limits

(a) The following local pollutant limits are established to protect the City's wastewater system against pass through and interference and to prevent noncompliance with requirements in applicable permits or violations in agreements for reuse of the reclaimed water and residuals.

(b) No person shall discharge wastewater containing in excess of the following instantaneous maximum uniform concentration limits unless the Industrial User Discharge Permit of the user provides as a special permit condition a higher interim concentration level in conjunction with a requirement that the user construct a pretreatment facility or institute changes in operation and maintenance procedures to reduce the concentration of pollutants to levels not exceeding the standards set forth in the table below:

Constituent	Maximum Uniform Concentration Limit (mg/l)
Antimony	1.25
Arsenic	0.25
Beryllium	0.25
Boron	1.0~~2.50~~
Cadmium	0.20
Chlorides	225
Chromium (Total)	0.50
Cobalt	0.65
Copper	0.66
Cyanide	0.35

Constituent	Maximum Uniform Concentration Limit (mg/l)
Lead	0.25
Lithium	0.5
Manganese	2.5
Mercury	0.005
Molybdenum	0.25
Nickel	1.1
PH	5.5 to 9.5
Phenols (Total)	3.0
Selenium	0.20
Silver	0.12/BMP
Sodium	300
Zinc	1.40

(c) The local pollutant limits above may be adjusted and additional local pollutant limits may be added from time to time based on treatment plant monitoring, water quality requirements, field investigation of industrial users, and/or any other factors which the Director of Public Works deems of significance with respect to the proper and safe operation of the City's POTW. These limits can represent an average of four (4) composite samples if so specified in the Industrial User Discharge Permit.

(d) The local pollutant limits above shall apply at the control manhole or at the point where the wastewater is discharged to the POTW. All concentrations for metallic substances are for "total" metals unless indicated otherwise. The Director of Public Works may impose mass allocation limits in addition to, or in place of, the concentration-based limitations above.

4. Dilution

No user shall ever increase the use of process water, or in any way attempt to dilute a discharge as a partial or complete substitute for adequate treatment to achieve compliance with a discharge limitation, unless expressly authorized by an applicable pretreatment standard or requirement, including, but not limited to more stringent local limits developed under 40 CFR 403.5(c) and Chapter 62-625.400 (3) and (4), F.A.C., as it may be from time-to-time amended. No user shall be given credit for any dilution resulting from the mixing of the user's discharge with other user's discharges to the POTW.

5. Pretreatment Facilities

If pretreatment is required through the issuance of an Industrial User Discharge Permit, users of the POTW shall design, construct, operate, and maintain such wastewater pretreatment facilities whenever necessary to reduce, modify, or eliminate the user's wastewater discharge to achieve compliance with the limitations in wastewater strength set forth in Section 30.03 of this Chapter, to meet applicable National Pretreatment Standards, or to meet any other wastewater condition or limitation contained in the user's permit. If required by the City, plans, specifications, and operating procedures for such wastewater pretreatment facilities shall be prepared by a

professional engineer that is registered in the State of Florida, and shall be submitted to the Director of Public Works for review. Prior to beginning construction of said pretreatment facility, the user shall submit a set of final construction plans and specifications to the Director of Public Works. Prior to beginning construction, the user shall also secure such building, plumbing, or other permits that may be required by City ordinance. The user shall construct said pretreatment facility within the time provided in the Industrial User Discharge Permit. Following completion of construction, the user shall provide the Director of Public Works with "as built" drawings. Neither filing of the plans nor the issuance of permit(s) shall be construed to indicate that the City in any way vouches for or warrants the performance capabilities of any facilities constructed pursuant to such plans, specifications, or data. Subsequent alterations or additions to such pretreatment or flow-control facilities shall not be made without prior written notice to the City.

6. Additional Pretreatment Measures

If any waters or wastes are discharged, or are proposed to be discharged to the public sewers, which waters contain the substances or possess the characteristics enumerated in Section 30.03, and which may have a deleterious effect on the POTW, processes, equipment or receiving waters, or which otherwise create a hazard to life or constitute a public nuisance, the Director of Public Works may:

(a) Reject the wastes;

(b) Require pretreatment to an acceptable condition prior to discharge to the public sewers;

(c) Require users to restrict their discharge during peak flow periods, designate that certain wastewater be discharged only into specific sewers, relocate and/or consolidate points of discharge, separate wastewater wastestreams from industrial wastestreams, and such other conditions as may be necessary to protect the POTW and determine the user's compliance with the requirements of this Chapter;

(d) Require any person discharging into the POTW to install and maintain, on their property and at their expense, a suitable storage and flow-control facility to ensure equalization of flow. An Industrial User Discharge Permit may be issued solely for flow equalization;

(e) Require grease, oil, and sand interceptors if they are necessary for the proper handling of wastewater containing excessive amounts of grease and oil, or sand; except that such interceptors shall not be required for residential users. All interception units shall be of type and capacity approved by the Director of Public Works and shall be so located to be easily accessible for cleaning and inspection. Such interceptors shall be inspected, cleaned, and repaired regularly, as needed, by the user at their expense and will be subject to the Oil and Grease Management Program as described in Section 30.15(2);

(f) Require users with the potential to discharge flammable substances or wastes containing TRPH to install and maintain a City approved combustible gas detection meter; or

(g) Require payment pursuant to the provisions of this Section and Subsection, to cover the added cost of handling and treating the wastes not covered by existing fees or sewer charges.

7. Accidental Discharge/Slug Control Plans

At least once every two (2) years, the Director of Public Works shall evaluate whether each significant industrial user needs an Accidental Discharge/Slug Control Plan. The Director of Public Works may require any user to develop, submit for review, and implement such a plan, or, alternatively, the Director of Public Works may develop such a plan for any user and require implementation. An Accidental Discharge/Slug Control plan shall address, at a minimum, the following:

(a) Description of discharge practices, including nonroutine batch discharges;

(b) Description of stored chemical products or other materials on site;

(c) Notification procedures, including those for immediately notifying the Director of Public Works and a list of contact persons and telephone numbers;

(d) Procedures to prevent adverse impacts from any accidental or slug discharge. Such procedures shall include, but are not limited to, inspection and maintenance of storage areas, handling and transfer of materials, loading and unloading operations, control of plant site runoff, worker training, building of containment structures or equipment, measures for containing toxic organic pollutants, including solvents, and/or measures and equipment for emergency response; and

(e) Description of employee training programs to prevent accidental or slug discharges and how to handle such episodic occurrences.

8. Pollution Prevention Plans

The Director of Public Works may require a user to develop and submit a Pollution Prevention Plan including an implementation timetable for review. The user shall implement the Pollution Prevention Plan on a timely basis once each plan has been approved. The Pollution Prevention Plan shall be developed in accordance with EPA and FDEP guidelines, and shall contain the following elements at a minimum:

(a) Description of strategies to minimize/prevent the introduction of pollutants into the user's discharge, and/or housekeeping of oil storage areas;

(b) Description of routine preventive maintenance and schedule of activities;

(c) Description of spill prevention techniques and response procedures;

(d) Description of employee training program and participation in pollution prevention measures, preventive maintenance, response procedures and documentation;

(e) Description of Recordkeeping and reporting protocols, including forms;

(f) Description of the overall facility, including a site plan, process schematics and plumbing diagrams;

(g) Description of waste handling, treatment and discharge facilities, including flow diagrams and process schematics;

(h) List of sources of wastes and locations for their introduction into the discharge;

(i) Inventory of raw materials, chemicals, intermediate products and final products on-site;

(j) Information log of facility personnel, organization chart, emergency phone numbers, contact persons and continuing educational requirements;

(k) Compilation of applicable permits; and

(l) Timetable for implementation of any necessary changes or additions to the user's procedures or facilities.

9. Best Management Practices Plans

The Director of Public Works may require a user to develop and submit for review a Best Management Practices Plan (BMPP) to control discharges to the City's wastewater system. The user shall implement the provisions of the BMPP on a timely basis and shall exercise due diligence in pursuit thereof. The BMPP shall contain, at a minimum, the following elements:

(a) Purpose and objective(s) of the Plan;

(b) Description of strategies to minimize/prevent the introduction of pollutants into the user's discharge and to minimize waste generation;

(c) Description of best management practices (options) available to the user to control accidental spillage, leaks and drainage;

(d) Description of best available or practicable control technologies available for this specific application;

(e) Description of the overall facility, including site plan;

(f) Description of the waste handling, treatment and discharge disposal facilities, including flow diagrams and process schematics;

(g) Description of operating and maintenance procedures;

(h) Inventory of raw materials and a list of waste sources;

(i) Description of employee training programs, continuing education programs and participation;

(j) Description of documentation, including Recordkeeping and forms;

(k) Description of monitoring activities; and

(l) Information log of facility personnel, organization chart, emergency phone numbers, contact persons and maintenance or service representatives.

10. Spill Containment Plans

(a) The Director of Public Works may require a user to develop, submit for review and implement a spill containment plan. Users that have the potential to cause interference with the POTW or pass through at the WRF shall be required to develop such a plan.

(b) The user shall implement the spill containment plan, including construction of facilities, within one (1) year of notification by the Director of Public Works.

11. Hauled Liquid Wastes

(a) No person shall discharge any trucked or hauled wastes, pollutants or substances directly into a manhole or other opening in the collection system, unless granted written permission by the Director of Public Works. Review and approval of the spill containment plan by the Director of Public Works shall not relieve the user of the responsibility to comply with the provisions of this Chapter.

(b) Under no circumstances shall hazardous wastes, as defined in 40 CFR 261 or 10 CFR 25-4.261, or as amended, be hauled to any City wastewater facility for disposal.

(c) Industrial waste haulers may discharge loads only at locations designated by the Director of Public Works. No load may be discharged without prior written consent of the Director of Public Works. The Director of Public Works may collect samples of each hauled load to ensure compliance with applicable standards. The Director of Public Works may require the industrial waste hauler to provide a waste analysis of any load prior to discharge.

(d) Industrial waste haulers must provide a waste-tracking form for every load. This form shall include, at a minimum, the name and address of the industrial waste hauler, industrial user discharge permit number, truck identification, names and addresses of sources of waste, industry types, volume and characteristics of waste and whether any wastes are RCRA hazardous wastes.

(e) The Director of Public Works may rescind the authorization for a hauler to discharge hauled wastes for violations of the provisions of this Chapter, or other ordinances; failure to obey order of authorized City personnel; or failure to pay assessed fees, surcharges or fines.

SECTION 30.04 – BEST MANAGEMENT PRACTICES PLAN FOR SILVER DISCHARGERS

1. Purpose and Intent

(a) The purpose of this section is to provide for the implementation of the Best Management Practices Plan (BMPP) for Silver Dischargers. The objectives of this section include:

(i) To minimize the introduction of wastes containing silver into the City's wastewater system;

(ii) To promote pollution prevention by generators of wastes containing silver;

(iii) To require the installation and maintenance of equipment to achieve a level of treatment appropriate for the size of the generator (user); and

(iv) To enable the City to comply with the effluent discharge standards set forth in the FDEP permits for the City's WRF's and the requirements for the Pretreatment Program.

(b) The intent of this section is to provide for the control and regulation of users that discharge wastes containing silver to the POTW. Implementation of the BMPP for Silver Dischargers will allow the City to reduce the loadings of other constituents of concern to the POTW.

2. General Criteria

(a) This section shall apply to all users of the POTW that generate wastes containing silver.

(b) All users that generate wastes containing silver may be required by the Director of Public Works to comply with the guidelines set forth in the City's Best Management Practices Plan for Silver Dischargers.

(c) All users that generate wastes containing silver may be required to implement a best management strategy to achieve a specific level of treatment (silver recovery or removal) as set forth in this section. This specific level of treatment (recovery or removal) shall depend on the volume of wastes that are generated by the user.

(d) Significant Industrial Users (SIUs) shall comply with the local limit for silver set forth in Section 30.03(3)(b) of this Chapter. Significant Industrial Users shall obtain an industrial user discharger permit pursuant to Section 30.05 of this Chapter.

(e) All users that generate wastes containing silver may be required by the Director of Public Works to prepare a Best Management Practices Plan (BMPP). The BMPP shall contain the elements that are listed in Section 30.03 (8) and (9) of this Chapter. An accidental discharge/slug control and a spill containment plan shall be included in the BMPP by the user.

(f) The user, as required by the Director of Public Works, shall develop and implement the BMPP within sixty (60) days of notification by the Director of Public Works; and shall exercise due diligence in pursuit thereof of the BMPP and maintenance of the silver recovery system. The Director of Public Works at his discretion shall have the authority

to impose the local limit for silver upon any user contributing wastes containing silver to the City's wastewater system.

(g) Preparation and implementation of the BMPP by the user shall be done at the sole expense of the user.

3. Off-Site Management

(a) Users that generate wastes containing silver may have these solutions transported by a certified hazardous waste hauler to an approved off-site facility for treatment, recovery and disposal.

(b) The user shall provide containment for their holding tanks and shall maintain them to prevent spills and leakage.

(c) Users that exercise this best management strategy shall retain and preserve the uniform hazardous waste manifests (as required by the U. S. Environmental Protection Agency) and other related documents in a file on-site for a minimum of three (3) years. The files shall be available for inspection by the Director of Public Works.

4. On-Site Recovery and Management

(a) Users that generate wastes containing silver may be required by the Director of Public Works to obtain a registration certificate and to pretreat the wastes prior to discharge to the POTW.

(b) The pretreatment equipment and recovery processes shall be designed to meet the minimum silver recovery (removal) levels set forth in this section.

(c) The pretreatment equipment shall be operated and maintained properly at the sole expense of the user.

(d) Monitoring taps shall be installed on the process influent and effluent lines for retrieval of representative samples to determine the efficiency of the pretreatment (recovery) processes.

(e) Minimum recovery efficiency for the pretreatment (recovery) processes shall be based on the volume of wastes containing silver that are generated by the user. Minimum recovery efficiencies shall be:

(i) Users that generate an average of less than two (2) gpd of silver-rich solutions and less than one thousand (1000) gpd of total process wastewater shall recover a minimum of 90% of the silver from the wastes.

(ii) Users that generate an average of two (2) to twenty (20) gpd of silver-rich solutions and over one thousand (1,000) to ten thousand (10,000) gpd of total process wastewater shall recover a minimum of 95% of the silver from the wastes.

(iii) Users that generate an average of more than twenty (20) gpd of silver-rich solutions and over ten thousand (10,000) gpd of total process wastewater shall recover a minimum of 99% of the silver from the wastes.

(f) The recovery efficiency of the pretreatment (recovery) processes shall be determined at least once per week using silver test paper. Users that generate more that twenty (20) gpd of silver-rich solutions shall determine the recovery efficiency at least once every four (4) months by collecting one composite sample of the influent and effluent for analysis by a certified commercial laboratory using EPA/FDEP approved protocols.

5. Recordkeeping

(a) The following records and documents shall be retained in a file on-site:

(i) Volume of total process wastewater discharged to the City's collection system (POTW);

(ii) A log of weekly monitoring results;

(iii) Report of analyses from the commercial laboratory;

(iv) Service and maintenance logs;

(v) Uniform hazardous waste manifests; and

(vi) Installation, operation and maintenance procedures.

(b) The files shall be subject to the retention requirements set forth in Section 30.07(12) of this Chapter. The files shall be available for inspection and review by the Director of Public Works.

6. Compliance Inspections and Monitoring

The Director of Public Works shall have the right to conduct compliance facility inspections and conduct random compliance monitoring as set forth in Section 30.08 of this Chapter.

7. Enforcement

Users that do not comply with the provisions set forth in this section shall be subject to the administrative enforcement procedures and remedies set forth in Section 30.11 of this Chapter.

SECTION 30.05 - INDUSTRIAL USER DISCHARGE PERMIT APPLICATION

1. Wastewater Analysis

When requested by the Director of Public Works, a user shall submit information on the nature and characteristics of its wastewater within twenty-one (21) days of the request. The Director of Public Works is authorized to prepare a form for this purpose and may periodically require

users to update this information. Sample collection and waste analysis shall be done in accordance with Section 30.07 (8) and (9) of this Chapter and Chapter 62-625.600, F.A.C., or as amended.

2. Industrial User Discharge Permit Requirements

(a) No significant industrial user shall discharge wastewater into the POTW without first obtaining an Industrial User Discharge Permit from the Director of Public Works, except a significant industrial user that has filed a timely application may continue to discharge for the time period specified therein.

(b) The Director of Public Works may require other users to obtain an Industrial User Discharge Permit as necessary to carry out the purposes of this Chapter.

(c) Any violation of the terms and conditions of an Industrial User Discharge Permit shall be deemed a violation of this Chapter and subjects the industrial user (permittee) to the enforcement response and remedies set out in Sections 30.11 through 30.13 of this Chapter. Obtaining an Industrial User Discharge Permit does not relieve a permittee of its obligation to comply with all Federal and State pretreatment standards or requirements or with any other requirements of Federal, State, and local law.

(d) No fees shall be assessed for random sampling and compliance monitoring expenses incurred by the City except for the sampling fees assessment as outlined in Section 30.07(9).

3. Industrial User Discharge Permitting: Existing Connections

Any user required to obtain an Industrial User Discharge Permit who was discharging wastewater into the POTW prior to the effective date of this Chapter and who wishes to continue such discharge in the future, shall, within ninety (90) days after said date, apply to the Director of Public Works for an Industrial User Discharge Permit in accordance with Section 30.05 of this Chapter, and shall not cause or allow discharges to the POTW to continue after one hundred eighty (180) days of the effective date of this Chapter except in accordance with an Industrial User Discharge Permit issued by the Director of Public Works.

4. Industrial User Discharge Permitting: New Connections

Any user required to obtain an Industrial User Discharge Permit who proposes to begin or recommence discharging into the POTW must obtain such permit prior to the beginning or recommencing of such discharge. An application for this Industrial User Discharge Permit, in accordance with Section 30.05(5) of this Chapter, must be filed at least forty-five (45) days prior to the date upon which any discharge will begin or recommence.

5. Industrial User Discharge Permit Application Contents

(a) All users required to obtain an Industrial User Discharge Permit must submit a permit application. The Director of Public Works may require all users to submit as part of an

application the following information:

(i) All information required by Section 30.07(1)(b) of this Chapter;

(ii) Description of activities, facilities, and plant processes on the premises, including a list of all raw materials and chemicals used or stored at the facility which are, or could accidentally or intentionally be, discharged to the POTW;

(iii) Number and type of employees, hours of operation, and proposed or actual hours of operation;

(iv) Each product produced by type, amount, process or processes, and rate of production;

(v) Type and amount of raw materials processed (average and maximum amounts per day);

(vi) Site plans, floor plans, mechanical and plumbing plans, and details to show all sewers, floor drains, and appurtenances by size, location, and elevation, and all points of discharge;

(vii) Time and duration of discharges; and

(viii) Any other information as may be deemed necessary by the Director of Public Works to evaluate the Industrial User Discharge Permit application.

(b) Incomplete or inaccurate applications will not be processed and will be returned to the user for revision.

6. Signatories and Certification

All Industrial User Discharge Permit applications and user reports must be signed by an authorized representative of the user and contain the following certification statement:

> "I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations. I also understand that applicable civil and criminal penalties may apply for any violations of pretreatment standards, requirements, and/or compliance schedules."

7. Industrial User Discharge Permit Decisions

The Director of Public Works will evaluate the data furnished by the user. The Director of Public Works may require additional information and will make such a request in writing to

the user. Within thirty (30) days of receipt of a complete Industrial User Discharge Permit application, the Director of Public Works will determine whether or not to issue an Industrial User Discharge Permit. The Director of Public Works may deny any application for an Industrial User Discharge Permit.

8. Permit Denial

(a) Reasons that the Director of Public Works may deny an Industrial User Discharge Permit include, but are not limited to, the following:

(i) Incomplete application;

(ii) Failure to respond to a request for additional information in a timely manner;

(iii) Submittal of false or inaccurate information or data;

(iv) Pretreatment facilities that are inadequate to protect the POTW and allow the user's discharge to meet the standards set forth in this Chapter;

(v) Construction of facilities, installation of equipment or systems, or the start up of operations and the discharge of wastes to the POTW without a permit; or

(vi) In the opinion of the Control Authority, the wastes would be harmful and detrimental to the POTW, employees and public.

(b) Denial of the Industrial User Discharge Permit application by the Director of Public Works does not relieve the user of the responsibility to comply with the City Code and obtain the necessary permits prior to commencement of operations. The user shall retain the right to reapply for an Industrial User Discharge Permit or appeal the decision of the Director of Public Works using the appeals procedure as set out in Section 30.06(3).

SECTION 30.06 - INDUSTRIAL USER DISCHARGE PERMIT ISSUANCE PROCESS

1. Industrial User Discharge Permit Duration

An Industrial User Discharge Permit shall be issued for a specified time period, not to exceed five (5) years from the effective date of the permit. An Industrial User Discharge Permit may be issued for a period less than five (5) years, at the discretion of the Director of Public Works. Each Industrial User Discharge Permit will indicate a specific date upon which it will expire. If an Industrial User Discharge Permit is issued for less than five (5) years, then it may be extended at the discretion of the Director of Public Works as long as the full five (5) year term is not exceeded.

2. Industrial User Discharge Permit Contents

An Industrial User Discharge Permit shall include such conditions as are deemed reasonably necessary by the Director of Public Works to prevent pass through or interference, protect the quality of the receiving water, the WRF's effluent or reclaimed water, protect worker health

and safety, facilitate biosolids management and disposal, and protect against damage to the POTW.

(a) Industrial User Discharge Permits shall contain:

(i) A statement that indicates the Industrial User Discharge Permit duration, which in no event shall exceed five (5) years;

(ii) A statement that the Industrial User Discharge Permit is nontransferable without prior written notification to the City in accordance with Section 30.06(5) of this Chapter, and provisions for furnishing the new owner or operator with a copy of the existing Industrial User Discharge Permit;

(iii) Effluent limits based on applicable pretreatment standards;

(iv) Self-monitoring, sampling, reporting, notification, and record-keeping requirements. These requirements shall include an identification of pollutants to be monitored, sampling location, sampling frequency, and sample type based on Federal, State, and local law; and

(v) A statement of applicable civil and criminal penalties for violation of pretreatment standards and requirements and any applicable compliance schedule. Such schedule may not extend the time for compliance beyond that required by applicable Federal, State, or local law:, and

(vi) A statement that compliance with the Industrial User Discharge Permit does not relieve the permittee of responsibility for compliance with all applicable Federal and State pretreatment standards, including those which become effective during the term of the Industrial User Discharge Permit.

(b) Industrial User Discharge Permits may contain, but need not be limited to, the following conditions:

(i) Limits on the average and/or maximum rate of discharge, time of discharge, and/or requirements for flow regulation and equalization;

(ii) Requirements for the installation of pretreatment technology, pollution control, or construction of appropriate containment devices, designed to reduce, eliminate, or prevent the introduction of pollutants into the treatment works;

(iii) Requirements for the development and implementation of accidental discharge/slug control plan, spill containment plant or other special conditions including management practices necessary to adequately prevent accidental, unanticipated, or nonroutine discharges;

(iv) Requirements for the development and implementation of a Pollution Prevention Plan and a Best Management Practices Plan for the handling of the user's waste stream(s) and the minimization/ prevention of introducing pollutants into the discharge to the POTW;

(v) Development and implementation of waste minimization plans to reduce the amount of pollutants discharged to the POTW;

(vi) The unit charge or schedule of user charges and fees for the management of the wastewater discharged to the POTW;

(vii) Requirements for installation and maintenance of inspection and sampling facilities and equipment;

(viii) Requirements for closure activities following cessation of operations by the user at the facility, including the notification of the Director of Public Works, proper mothballing of the pretreatment facilities, authorized City personnel performing a final facility inspection and completion of the applicable forms;

(ix) Other conditions as deemed appropriate by the Director of Public Works to ensure compliance with this Chapter, and State and Federal laws, rules, and regulations.

3. Industrial User Discharge Permit Appeals

The applicant (user) may petition the Director of Public Works to reconsider the denial of an Industrial User Discharge Permit or the terms of an Industrial User Discharge Permit within ten (10) days of receipt of the notice of denial of the permit or the permit as applicable.

(a) Failure to submit a timely petition for review shall be deemed to be a waiver of the administrative appeal.

(b) In its petition, the appealing party must indicate the reasons for its objection to the Permit denial or the Industrial User Discharge Permit provisions objected to, the reasons for this objection, and the alternative condition, if any, it seeks to place in the Industrial User Discharge Permit.

(c) The effectiveness of the Industrial User Discharge Permit shall not be stayed pending the appeal.

(d) If the Director of Public Works fails to act within thirty (30) days, a request for reconsideration shall be deemed to be denied. Decisions not to reconsider an Industrial User Discharge Permit, not to issue an Industrial User Discharge Permit, or not to modify an Industrial User Discharge Permit shall be considered final administrative actions for purposes of judicial review. This determination can be appealed as described in Section 30.11(10) of this Chapter.

4. Industrial User Discharge Permit Modifications

(a) The Director of Public Works may modify an Industrial User Discharge Permit for good cause, including, but not limited to, the following reasons:

(i) To incorporate any new or revised Federal, State, or local pretreatment standards or requirements;

(ii) To address significant alterations or additions to the user's operation, processes, or wastewater volume or character since the time of Industrial User Discharge Permit issuance;

(iii) A change in the POTW that requires either a temporary or permanent reduction or elimination of the authorized discharge;

(iv) Information indicating that the permitted discharge poses a threat to the City's POTW, authorized City personnel, or the receiving waters;

(v) Violation of any terms or conditions of the Industrial User Discharge Permit;

(vi) Misrepresentations or failure to fully disclose all relevant facts in the Industrial User Discharge Permit application or in any required reporting;

(vii) Revision of or a grant of variance from categorical pretreatment standards pursuant to 40 CFR 403.13;

(viii) To correct typographical or other errors in the Industrial User Discharge Permit; or

(ix) To reflect a transfer of the facility ownership or operation to a new property owner or operator.

(b) Permit holders shall be informed of any proposed changes in their respective Permits at least thirty (30) days prior to the effective date of change, and shall be allowed a comment period relating to any of the proposed changes in their permits within the first ten (10) days after issuance of such proposed change by the City. The City shall allow a discharger a reasonable period of time to comply with any changes in the permit required by the City, unless otherwise required by emergency or governmental regulations. The permit holder may petition the City for modification of permit based on changed conditions. The Director of Public Works shall review such petitions with such supporting data, as he deems necessary and take appropriate action.

5. Industrial User Discharge Permit Transfer

(a) Industrial User Discharge Permits may be transferred to a new property owner or operator only if the permittee gives at least thirty (30) days advanced written notice to the Director of Public Works and the Director of Public Works approves the Industrial User Discharge Permit transfer. The notice to the Director of Public Works must include a written certification by the new property owner or operator which:

(i) States that the new property owner and/or operator has no immediate intent to change the facility's operations and processes;

(ii) Identifies the specific date on which the transfer is to occur;

(iii) Acknowledges full responsibility for complying with the existing Industrial User Discharge Permit; and

(iv) Includes the signature of the authorized representative of the new property owner (user) and/or operator and the certification statement in Section 30.05(6) of this Chapter.

(b) Failure to provide advanced written notice of a transfer of ownership shall render the Industrial User Discharge Permit void as of the date of facility transfer.

6. Industrial User Discharge Permit Revocation

(a) The Director of Public Works may revoke an Industrial User Discharge Permit, as issued pursuant to the provisions of this Chapter, for good cause as defined by, including, but is not limited to, the following reasons:

(i) Violation of any pretreatment standard or requirement or any terms of the Industrial User Discharge Permit;

(ii) The discharge of industrial wastewater which causes or contributes to any violation of the provisions in this Chapter;

(iii) Failure to notify the Director of Public Works of significant changes in the character and volume of the wastewater prior to the flow being discharged;

(iv) Failure to provide prior written notification to the Director of Public Works of changed conditions pursuant to Section 30.07(5) of this Chapter;

(v) Misrepresentation or failure to fully disclose all relevant facts in the Industrial User Discharge Permit application;

(vi) Falsifying self-monitoring reports;

(vii) Tampering with monitoring equipment;

(viii) Refusing to allow the Director of Public Works timely access to the facility premises and records;

(ix) Failure to meet effluent limitations;

(x) Failure to pay fines or penalties;

(xi) Failure to pay sewer charges or assessments;

(xii) Failure to meet compliance schedules;

(xiii) Failure to complete a wastewater survey or the Industrial User Discharge Permit application;

(xiv) Failure to provide advanced written notice of the transfer of business ownership of a permitted facility;

(xv) Issuance of a new Industrial User Discharge Permit; or

(xvi) A discharge which, in the opinion of the Director of Public Works, may interfere with the operation or maintenance of the POTW or threaten human health or safety.

(b) Industrial User Discharge Permits shall be void upon cessation of operations or failure to notify the Director of Public Works of a transfer of business ownership. All Industrial User Discharge Permits issued to a particular user are void upon the issuance of a new Industrial User Discharge Permit to that user.

7. Industrial User Discharge Permit Reissuance

(a) A user with an expiring Industrial User Discharge Permit shall apply for an Industrial User Discharge Permit reissuance by submitting a complete permit application, in accordance with Section 30.06 of this Chapter, at least sixty (60) days prior to the expiration date of the user's existing Industrial User Discharge Permit.

(b) A request for extending (changing) the expiration date of the Industrial User Discharge Permit, if issued initially with a duration of less than five (5) years, shall be submitted to the Director of Public Works thirty (30) days prior to the current expiration date.

8. Jurisdictional Agreements and Special Arrangements

(a) If another government or user contributes wastewater to the POTW, the City shall enter into an agreement with the contributing government.

(b) Prior to entering into an agreement required by paragraph (a) above, the Director of Public Works shall request the following information from the contributing government:

(i) A description of the characteristics and volume of wastewater discharged to the POTW by the contributing government;

(ii) An inventory of all users located within the contributing government that are discharging to the POTW; and

(iii) Such other information as the Director of Public Works may deem necessary.

(c) An agreement, as required by paragraph (a) above, shall contain the following conditions:

(i) A requirement for the contributing government to adopt a sewer use ordinance which is at least as stringent as the terms and conditions in this Chapter, and local pollutant limits which are at least as stringent as detailed in Section 30.03 (3) of this Chapter. The requirement shall specify that such limits must be revised as necessary to reflect changes made to the City's Sewer Use Chapter or local limits;

(ii) A requirement for the contributing government to submit a revised user inventory on at least a biannual basis;

(iii) A provision specifying which pretreatment implementation activities, including Industrial User Discharge Permit issuance, inspection and sampling, and enforcement, shall be conducted by the contributing government; which of these activities shall be conducted by the Director of Public Works; and which of these activities shall be conducted jointly by the contributing government and the Director of Public Works;

(iv) A requirement for the contributing government to provide the Director of Public Works with access to all information that the contributing government obtains as part of its pretreatment activities;

(v) Limits on the nature, quality, and volume of the contributing government's wastewater at the point where it discharges to the POTW;

(vi) Requirements for monitoring the contributing government's discharge;

(vii) A provision ensuring the Director of Public Works access to the facilities of users located within the contributing government's jurisdictional boundaries for the purpose of inspection, sampling, and any other duties as deemed necessary by the Director of Public Works; and

(viii) A provision specifying the remedies available for breach of the terms of the agreement.

9. Special Arrangements

(a) Nothing in this Chapter shall be construed to prevent the City from entering into any special arrangement or agreement with any user of the POTW to accept wastewater of unusual strength or character and specially treated wastes subject to any payment of user changes or consideration thereof as may be applicable.

(b) Nothing in Sections 30.18 through 30.20 of this Chapter concerning rates and fees shall restrict the City Council's authority to modify such rates and fees by special contractual agreement to serve major institutional, commercial or industrial establishments, or a major complex of such users.

(c) Any special arrangement or agreement shall not be transferable without approval of the City Council.

SECTION 30.07 - REPORTING REQUIREMENTS

1. Baseline Monitoring Reports

(a) Within either one hundred eighty (180) days after the effective date of a categorical pretreatment standard, or the final administrative decision on a category determination pursuant to 40 CFR 403.6(a)(4) and Chapter 62-625.410(2)(d), F.A.C., whichever is later, existing categorical users currently discharging to or scheduled to discharge to the POTW shall submit to the Director of Public Works a report which contains the information listed in paragraph (b), below. At least ninety (90) days prior to

commencement of their discharge, new sources, and sources that become categorical users subsequent to the promulgation of an applicable categorical standard, shall submit to the Director of Public Works a report which contains the information listed in paragraph (b), below. A new source shall report the method of pretreatment it intends to use to meet applicable categorical standards. A new source also shall give estimates of its anticipated flow and quantity of pollutants to be discharged.

(b) Users described above shall submit the information set forth below:

(i) *Identifying Information.* The name and address of the facility, including the name of the operator and property owner.

(ii) *Environmental Permits.* A list of any environmental control permits held by or for the facility.

(iii) *Description of Operations.* A brief description of the nature, average rate of production, and standard industrial classifications of the operation(s) carried out by such user. This description should include a schematic process diagram, which indicates points of discharge to the POTW from the regulated processes.

(iv) *Flow Measurement.* Information showing the measured average daily and maximum daily flow, in gallons per day, to the POTW from regulated process streams and other streams, as necessary, to allow use of the combined wastestream formula set out in 40 CFR 403.6 (e) and Chapter 62-625.410(6), F.A.C.

(v) *Measurement of Pollutants.*

(a) The categorical pretreatment standards applicable to each regulated process.

(b) The results of sampling and analysis identifying the nature and concentration, and/or mass, where required by the standard or by the Director of Public Works, of regulated pollutants in the discharge from each regulated process. Instantaneous, daily maximum, and long-term average concentrations, or mass, where required, shall be reported. The sample shall be representative of daily operations and shall be analyzed in accordance with procedures set out in Section 30.07 (8) and (9) of this Chapter.

(vi) *Sample Collection.* Sampling must be performed in accordance with procedures set out in Section 30.07(9) of this Chapter.

(vii) *Certification.* A statement, reviewed by the user's authorized representative and certified by a qualified professional, indicating whether pretreatment standards are being met on a consistent basis, and, if not, whether additional operation and maintenance (O&M) and/or additional pretreatment is required to meet the pretreatment standards and requirements. Certification statement and signature shall comply with the requirements in Section 30.05(6) of this Chapter.

(viii) *Compliance Schedule.* If additional pretreatment and/or O&M shall be required to meet the pretreatment standards, the shortest schedule by which the user shall

provide such additional pretreatment and/or O&M. The completion date in this schedule shall not be later than the compliance date established for the applicable pretreatment standard. A compliance schedule pursuant to this section must meet the requirements set out in Section 30.07(2) of this Chapter.

(ix) *Signature and Certification.* All baseline-monitoring reports must be signed and certified in accordance with Section 30.05(6) of this Chapter.

2. Compliance Schedule Progress Reports

The following conditions shall apply to the compliance schedule required by Section 30.11 (3) and (5) of this Chapter:

(a) The schedule shall contain progress increments in the form of dates for the commencement and completion of major events leading to the construction and operation of additional pretreatment required for the user to meet the applicable pretreatment standards. Such events include, but are not limited to, hiring an engineer, completing preliminary and final plans, executing contracts for major components, commencing and completing construction, and beginning and conducting routine operation;

(b) No increment referred to in Subsection (a) of this section shall exceed nine (9) months;

(c) The user shall submit a progress report to the Director of Public Works no later than fourteen (14) days following each date in the schedule and the final date of compliance including, as a minimum, whether or not it complied with the increment of progress, the reason for any delay, and, if appropriate, the steps being taken by the user to return to the established schedule; and

(d) In no event shall more than nine (9) months elapse between such progress reports to the Director of Public Works.

3. Reports on Compliance with Categorical Pretreatment Standard Deadline

Within ninety (90) days following the date for final compliance with applicable categorical pretreatment standards, or in the case of a new source following commencement of the introduction of wastewater into the POTW, any user subject to such pretreatment standards and requirements shall submit to the Director of Public Works a report containing the information described in Section 30.07(1)(b) of this Chapter. For users subject to equivalent mass or concentration limits established in accordance with the procedures in 40 CFR 403.6(c) and Chapter 62-625.410(4), F.A.C., this report shall contain a reasonable measure of the user's long-term production rate. For all other users subject to categorical pretreatment standards expressed in terms of allowable pollutant discharge per unit of production or other measure of operation. This report shall include the user's actual production during the appropriate sampling period. All compliance reports must be signed and certified in accordance with Section 30.05(6) of this Chapter.

4. Periodic Compliance Reports

(a) All significant industrial users shall, at a frequency determined by the Director of Public

Works, but in no case less than twice per year (in June and December), submit a report indicating the nature and concentration of pollutants in the discharge which are limited by pretreatment standards and the measured or estimated average and maximum daily flows for the reporting period. All periodic compliance reports must be signed and certified in accordance with Section 30.05(6) of this Chapter.

(b) All wastewater samples must be representative of the user's discharge. Wastewater monitoring and flow measurement facilities shall be properly operated, kept clean, and maintained in good working order at all times. The failure of a user to keep its monitoring facility in good working order shall not be grounds for the user to claim that sample results are unrepresentative of its discharge.

(c) If a user subject to the reporting requirements in this section monitors any pollutant more frequently than required by the Director of Public Works, using the procedures prescribed in Section 30.07(9) of this Chapter; the results of this monitoring shall be included in the report.

(d) The Director of Public Works may require an Industrial User to submit a monthly or quarterly certified statement concerning the characteristics of its industrial wastes that were discharged to the City's wastewater system or to any sewer connected herewith. Such certified statement shall be filed with the Director of Public Works on the forms so designated for this purpose not later than the tenth day of the month following the month or quarter for which the report is required, or as specified in the Industrial User Discharge Permit. The certification statement shall be in accordance with Section 30.05(6) of this Chapter.

5. Reports of Changed Conditions

(a) Each user must notify the Director of Public Works of any planned significant changes to the user's operations or system which might alter the nature, quality, or volume of its wastewater at least sixty (60) days before the change.

(b) The Director of Public Works may require the user to submit such information as may be deemed necessary to evaluate the changed condition, including the submission of an Industrial User Discharge Permit application under Section 30.05 of this Chapter.

(c) The Director of Public Works may issue an Industrial User Discharge Permit under Section 30.06 of this Chapter or modify an existing Industrial User Discharge Permit under Section 30.06(4) of this Chapter in response to changed conditions or anticipated changed conditions.

(d) For purposes of this requirement, significant changes include, but are not limited to:

(i) flow increases in excess of twenty (20) percent of the monthly average daily flow or ten (10) percent of the initially permitted annual average daily flow; or

(ii) the discharge of any previously unreported pollutants.

6. Reports of Potential Problems

(a) In the case of any discharge, including, but not limited to, accidental discharges, discharges of a nonroutine, episodic nature, a noncustomary batch discharge, or a slug load, that may cause potential problems for the POTW, the user shall immediately telephone and notify the Director of Public Works of the incident. This notification shall include the location of the discharge, type of waste, concentration and volume, if known, and corrective actions taken by the user.

(b) Within five (5) days following such discharge, the user shall, unless waived by the Director of Public Works, submit a detailed written report describing the cause(s) of the discharge and the measures to be taken by the user to prevent similar future occurrences. Such notification shall not relieve the user of any expense, loss, damage, or other liability which may be incurred as a result of damage to the POTW, natural resources, or any other damage to person or property; nor shall such notification relieve the user of any fines, penalties, or other liability which may be imposed pursuant to this Chapter.

(c) A notice shall be permanently posted on the user's bulletin board or other prominent place advising employees whom to call in the event of a discharge described in paragraph (a), above. Employers shall ensure that all employees, who may cause such a discharge to occur, are advised of the emergency notification procedure.

7. Reports from Unpermitted Users

All users not required to obtain an Industrial User Discharge Permit shall provide appropriate reports to the Director of Public Works as the Director may require.

8. Analytical Requirements

If sampling performed by a user indicates a violation, the user must notify the Director of Public Works within twenty-four (24) hours of becoming aware of the violation. The user shall also repeat the sampling and analysis and submit the results of the repeat analysis to the Director of Public Works within thirty (30) days after becoming aware of the violation. The user is not required to resample if the Director of Public Works monitors at the user's facility at least once a month, or if the Director of Public Works samples between the user's initial sampling and when the user receives the results of this sampling.

9. Sample Collection and Analysis

(a) Except as indicated in paragraph (c) below, the user must collect representative wastewater samples using flow proportional composite collection techniques. In the event flow proportional sampling is not feasible, the Director of Public Works may authorize the use of time proportional sampling or a minimum of four (4) grab samples where the user demonstrates that this will provide a representative sample of the wastewater discharged to the collection system. Grab samples may be required to show compliance with instantaneous discharge limits.

(b) The Director of Public Works may require the owner of any property serviced by a

building sewer that conveys industrial wastes to install, at his expense, a suitable control manhole together with such necessary approved flow meters, samplers, and other appurtenances to facilitate observation, sampling, and measurement of the process wastewater. The control manhole shall be located for safe and easy access and shall be constructed to allow for proper sample collection and inspection of the discharge. The control manhole shall be built in accordance with plans approved by the Director of Public Works.

(c) Measurements, tests and analysis of the characteristics and quality of waters and wastes to which reference is made in this Chapter shall be performed in accordance with 40 CFR 136, Chapter 62-160, F.A.C. and Chapter 62-625.600(1)(e)(6), or as amended, and shall be determined at the control manhole provided, or upon suitable samples taken at the control manhole. In the event that no control manhole is available, the control manhole shall be considered to be the nearest downstream manhole in the collection system to the point at which the building sewer is connected and shall be designated as the control manhole. Sampling shall be carried out to reflect the effect of constituents upon the POTW and to determine the existence of hazards to health, safety and welfare.

(d) Samples for oil and grease, temperature, pH, cyanide, phenols, sulfides, and volatile organic compounds shall be obtained using grab collection techniques.

(e) *Sample Analysis*

All pollutant analysis, including protocols and detection limits used for characterization of wastewater and wastes or determining the water quality of the discharge to the POTW, shall be performed in accordance with the techniques and requirements set forth in 40 CFR Part 136, Chapter 62-160, F.A.C. and Chapter 62-625.600(1)(e)(6), F.A.C., unless otherwise specified in an applicable categorical pretreatment standard. If the references cited herein do not contain applicable analytical protocols for the pollutant in question, the analysis shall be performed in accordance with procedures approved by EPA or FDEP. The Director of Public Works shall be given written notice of the analytical protocols employed by the industrial user to demonstrate compliance with permit conditions and provisions of this Chapter.

(f) *Sampling Fees*

Annual costs for activities required under this Section shall be recovered, at the City's option, through fees charged to the respective nonresidential users. Fees may be assessed for each scheduled, unscheduled, or demand monitoring visits. Direct costs that are incurred by the City (or its authorized agent) for sampling, inspecting, and laboratory analysis, adjusted to reflect administrative, legal and other indirect costs, necessary for implementation and enforcement of the provisions of this Chapter may be billed to the respective user. All self-monitoring costs incurred by any user, including, but not limited to, the cost of sampling, laboratory analysis, and reporting, shall be borne by the user. Costs for additional sample collection and laboratory analyses may be assessed on a daily basis as long as the results show that the user is discharging wastes to the POTW that is not in compliance with the standards or limits in Section 30.03.

10. Electronic Reporting

The Director of Public Works may allow reports, including monitoring information, to be submitted on electronic media or electronically using the Internet. In such cases, the user shall acquire the necessary software as approved by the Director of Public Works, at their own expense. The Director of Public Works may require an original report, signed and certified, using conventional methods in addition to the electronic format.

11. Submittal Date

Written reports shall be deemed to have been submitted on the date postmarked by the United States Postal Service. The date of receipt of the report shall govern for reports, which are not mailed, postage prepaid, into a mail facility serviced by the United States Postal Service, or sent via the Internet.

12. Record Retention

(a) Users subject to the reporting requirements of this Chapter shall retain, and make available for inspection and copying, all records of information obtained pursuant to any monitoring activities required by this Chapter and any additional records of information obtained pursuant to monitoring activities undertaken by the user independent of such requirements. Records shall include the date, exact place, method, and time of sampling, and the name of the person(s) taking the samples; the dates analyses were performed; who performed the analyses; the analytical techniques or methods used; and the results of such analyses.

(b) Records shall be retained and preserved at the user's facility for a period of at least three (3) years. This period shall be automatically extended for the duration of any unresolved litigation concerning the user or the City, or where the user has been specifically notified of a longer retention period by the Director of Public Works.

(c) All records pertaining to matters which are the subject of any enforcement or litigation activities brought by the City pursuant hereto shall be retained and preserved by the user until all enforcement activities have concluded and all periods of limitation with respect to any and all appeals have expired.

(d) The Director of Public Works shall have the right to inspect the records and related documents. The records shall be made available by the user, subject to the provisions of this Chapter, for inspection by the Director of Public Works.

SECTION 30.08 - COMPLIANCE MONITORING

1. Right Of Entry: Inspection And Sampling

(a) The Director of Public Works shall have the right to enter the premises of any user to determine whether the user is complying with all requirements of this Chapter and any Industrial User Discharge Permit or order issued hereunder. Users shall allow the Director of Public Works ready access to all parts of the premises for the purposes of inspection, sampling, records examination and copying, and the performance of any additional duties.

(b) Where a user has security measures in force which require proper identification and clearance before entry into its premises, the user shall make necessary arrangements with its security guards so that, upon presentation of suitable identification, the Director of Public Works shall be permitted to enter without delay for the purposes of performing specific responsibilities.

(c) The Director of Public Works shall have the right to set up on the user's property, or require installation of, such devices as are necessary to conduct sampling and/or metering of the user's operations.

(d) Any temporary or permanent obstruction to safe and easy access to the facility to be inspected and/or sampled shall be promptly removed by the user at the written or verbal request of the Director of Public Works and shall not be replaced. The costs of clearing such access shall be borne by the user. Unreasonable delays in allowing the Director of Public Works access to the user's premises shall be a violation of this Chapter. The Director of Public Works shall have the right to remove obstructions and recover the costs from the user if emergency conditions are deemed by the Director of Public Works to exist.

(e) While performing the necessary work on private properties referred to in this Section or other sections of this Chapter, the Director of Public Works or authorized City personnel shall observe all safety rules applicable to the premises established by the company and the company, to the extent allowed by law, shall be held harmless for injury or death to the City employee(s), for intentional and/or negligent acts solely caused by the City employee(s), and the City shall indemnify the company against loss or damage to its property by City employees and against liability claims and demands for personal injury or property damage asserted against the company and growing out of the gauging and sampling operation, for intentional and/or negligent acts solely caused by the City employee(s).

2. Search Warrants

If the Director of Public Works has been refused access to a building, structure, or property, or any part thereof, and is able to demonstrate probable cause to believe that there may be a violation of this Chapter, or that there is a need to inspect and/or sample as part of a routine inspection and sampling program of the City designed to verify compliance with this Chapter or any permit or order issued hereunder, or to protect the overall public health, safety and welfare of the community, then the Director of Public Works may seek issuance of a search warrant from a court of competent jurisdiction**]**.

SECTION 30.09 - CONFIDENTIAL INFORMATION

Information and data shall be considered confidential in accordance with Chapter 119, F.S., as may be amended from time to time and the limitations as follows. Information and data on a user obtained from reports, surveys, Industrial User Discharge Permit applications, Industrial User Discharge Permits, and monitoring programs, and from the Director of Public Works' inspection and sampling activities, shall be available to the public without restriction, unless the user specifically requests and is able to demonstrate to the satisfaction of the Director of Public Works, that the

release of such information would divulge information, processes, or methods of production entitled to protection as trade secrets under applicable State law. Any such request must be asserted at the time of submission of the information or data. When requested and demonstrated by the user furnishing a report that such information should be held confidential, the portions of a report which might disclose trade secrets or secret processes shall not be made available for inspection by the public, but shall be made available immediately upon request to governmental agencies for uses related to this Chapter, the NPDES Program, Pretreatment Program, Best Management Practices Plan for Silver Dischargers, Oil & Grease Management Program, Surcharge Program or in enforcement proceedings and judicial review involving the person furnishing the report. Wastewater constituents, and characteristics and other "effluent data" as defined by 40 CFR 2.302 will not be recognized as confidential information and will be available to the public without restriction.

SECTION 30.10 - PUBLICATION OF USERS IN SIGNIFICANT NONCOMPLIANCE

The Director of Public Works shall publish annually, in the largest daily newspaper published in the government where the POTW is located, a list of the users which, during the previous twelve (12) months, were in significant noncompliance with applicable pretreatment standards and requirements. The term significant noncompliance shall mean:

(a) Chronic violations of wastewater discharge limits;

(b) Technical Review Criteria (TRC) violations;

(c) Any other discharge violation that the Director of Public Works believes has caused, alone or in combination with other discharges, interference or pass through, including endangering the health of POTW personnel or the general public;

(d) Any discharge of pollutants that has caused imminent endangerment to the public or to the environment, or has resulted in the Director of Public Works exercising emergency authority to halt or prevent such a discharge;

(e) Failure to meet, within ninety (90) days of the scheduled date, a compliance schedule milestone contained in an Industrial User Discharge Permit or enforcement order for starting construction, completing construction, or attaining final compliance;

(f) Failure to provide within thirty (30) days after the due date, any required reports, including baseline monitoring reports, reports on compliance with categorical pretreatment standard deadlines, periodic self-monitoring reports, and reports on compliance with compliance schedules;

(g) Failure to accurately report noncompliance; or

(h) Any other violation(s), which the Director of Public Works determines, will adversely affect the operation or implementation of the local pretreatment program.

SECTION 30.11 - ADMINISTRATIVE ENFORCEMENT REMEDIES

1. General

(a) Any user found to be violating any provision of this Chapter (Chapter 30) of the City Code, and any of the orders, rules, regulations, and permits issued hereunder, shall be served by the City with written notice by personal delivery by an authorized City employee or by registered or certified mail that states the nature of the violation and providing a reasonable time limit for satisfactory correction of the violation. The offender shall permanently cease all violations within the period of time stated in such notice.

(b) If the discharge from any user causes a deposit, obstruction, damage or process upset to any of the City's wastewater facilities, then the Director of Public Works shall cause the deposit or obstruction to be promptly removed, or cause the damage to be promptly repaired, at the sole cost of the person or user causing such deposit, obstruction, or damage.

(c) The remedies provided in this Chapter shall not be exclusive, and the City may seek whatever other remedies are authorized by statute, at law or in equity, against any person or user violating the provisions of this Chapter.

(d) In addition to any fine levied under this Chapter, the City may, where the circumstances of the particular case so dictate, but in any event in the sole discretion of the Director of Public Works, seek injunctive relief to prohibit the user from discharging any wastewater into the City's sanitary sewer system, or to provide such other affirmative relief as may be appropriate.

(e) Notwithstanding any other penalty as detailed or summarized in this Chapter, any person or user who violates any provision of this Chapter is also subject to the provisions of §1.08 of the City's Code of Ordinances.

(f) The Enforcement Response Plan, as approved by FDEP, contains the protocols that are used by the City for implementation and enforcement of the Pretreatment Program.

2. Notification of Violation

When the Director of Public Works finds that a user has violated, or continues to violate, any provision of this Chapter, an Industrial User Discharge Permit or order issued hereunder, or any other pretreatment standard or requirement, the Director of Public Works may serve upon that user a written Notice of Violation. Within fifteen (15) days of the receipt of this notice, an explanation of the violation and a plan for the satisfactory correction and prevention thereof, to include specific required actions, shall be submitted by the user to the Director of Public Works. Submission of this plan in no way relieves the user of liability for any violations occurring before or after receipt of the Notice of Violation. Nothing in this section shall limit the authority of the Director of Public Works to take any action, including emergency actions or any other enforcement action, without first issuing a Notice of Violation.

3. Consent Agreements

The Director of Public Works may enter into Consent Agreements, assurances of voluntary compliance, or other similar documents establishing an agreement with any user responsible for noncompliance. Such documents shall include specific action to be taken by the user to correct the noncompliance within a time period specified by the document. Such documents shall have the same force and effect as the administrative orders issued pursuant to this Section

and shall be judicially enforceable.

4. Show Cause Hearing

The Director of Public Works may order a user which has violated, or continues to violate, any provision of this Chapter, an Industrial User Discharge Permit or any order issued hereunder, or any other pretreatment standard or requirement, to appear before the Director of Public Works and show cause why the proposed enforcement action should not be taken. Notice shall be served on the user specifying the time and place for the meeting, the proposed enforcement action, the reasons for such action, and a request that the user show cause why the proposed enforcement action should not be taken. The notice of the meeting shall be served personally or by registered or certified mail (return receipt requested) at least ten (10) days prior to the hearing. Such notice may be served on any authorized representative of the user. A show cause hearing shall not preclude, or be a prerequisite for, taking any other action against the user.

5. Compliance Orders

When the Director of Public Works finds that a user has violated, or continues to violate, any provision of this Chapter, an Industrial User Discharge Permit or order issued hereunder, or any other pretreatment standard or requirement, the Director of Public Works may issue an order to the user responsible for the discharge directing that the user come into compliance within a specified time. If the user does not come into compliance within the time provided, sewer service may be discontinued unless adequate treatment facilities, devices, or other related appurtenances are installed and properly operating. Compliance orders also may contain other requirements to address the noncompliance, including additional self-monitoring and management practices designed to minimize the amount of pollutants discharged to the sewer. A compliance order may not extend the deadline for compliance established for a pretreatment standard or requirement, nor does a compliance order relieve the user of liability for any violation, including any continuing violation. Issuance of a compliance order shall not be a bar against, or a prerequisite for, taking any other action against the user.

6. Cease and Desist Orders

(a) When the Director of Public Works finds that a user has violated, or continues to violate, any provision of this Chapter, an Industrial User Discharge Permit or order issued hereunder, or any other pretreatment standard or requirement, or that the user's past violations are likely to recur, the Director of Public Works may issue an order to the user directing it to cease and desist all such violations and directing the user to:

(i) Immediately comply with all requirements; and

(ii) Take such appropriate remedial or preventive action as may be needed to properly address a continuing or threatened violation, including halting operations and/or terminating the discharge.

(b) Issuance of a cease and desist order shall not be a bar against, or a prerequisite for, taking any other action against the user.

7. Administrative Fines

(a) When the Director of Public Works finds that a user has violated, or continues to violate, any provision of this Chapter, the Industrial User Discharge Permit or order issued hereunder, or any other pretreatment standard or requirement, the Director of Public Works may fine such user in an amount not to exceed twelve hundred fifty dollars ($1,250.00) per violation. Such fines shall be assessed on a per violation, per day basis. In the case of monthly or other long-term average discharge limits, fines shall be assessed for each day during the period of violation.

(b) Unpaid charges, fines, and penalties shall, after thirty-one (31) calendar days, be assessed an additional penalty of ten percent (10%) of the unpaid balance, and interest shall accrue thereafter at a rate of one percent (1%) per month. A lien against the user's property shall be sought for unpaid charges, fines, and penalties.

(c) Users desiring to dispute such fines must file a written request for the Director of Public Works to reconsider the fine. Where a request has merit, the Director of Public Works may convene a hearing on the matter. The Director of Public Works may add the costs of preparing administrative enforcement actions, such as notices and orders, to the fine.

(d) Issuance of an administrative fine shall not preclude, or be a prerequisite for, taking any other action against the user.

(e) Penalties may be assessed for each occurrence and for each local pollutant limit that has been exceeded.

(f) The following table lists penalty amounts for exceedances of the pollutant limits given in this Chapter. The penalty shown for each level is applicable to each individual local pollutant limit that has been exceeded.

PENALTY TABLE		
Penalty Level	**Violation Level**	**Penalty Amount***
1	Violations greater than the limit but less than two times the limit.	$ 250
2	Violations equal to two times the limit but less than three times the limit.	$ 500
3	Violations equal to three times the limit but less than four times the limit.	$ 750
4	Violations equal to four times the limit but less than five times the limit.	$ 1,000
5	Violations equal to or greater than five times the limit (excessive concentrations).	$ 1,250

* The user may also be subject to further penalties and enforcement actions as provided in the City Code, and as determined by the Director of Public Works,

or his designee. Additional penalties shall reflect the direct costs incurred by the City to resolve the consequences of such discharge.

(g) The pH range and the penalty amounts for each level are shown in the table below:

PENALTY TABLE FOR pH		
Low pH Violation	**High pH Violation**	**Penalty Amount***
5.00 TO 5.49	9.50 TO 9.99	$ 125
4.50 TO 4.99	10.00 TO 10.49	$ 250
3.50 TO 3.99	10.50 TO 10.99	$ 375
3.50 TO 3.99	11.00 TO 11.49	$ 500
3.00 TO 3.49	11.50 TO 11.99	$ 625
2.50 TO 2.99	12.00 TO 12.49	$ 750
2.00 TO 2.49	12.50 TO 12.99	$ 875
LESS THAN 2.00	13.00 AND ABOVE	$ 1,000

* The user may also be subject to further penalties and enforcement actions as provided in the City Code, and as determined by the Director of Public Works, or his designee. Additional penalties shall reflect the direct costs incurred by the City to resolve the consequences of such discharge.

8. Emergency Suspensions

(a) The Director of Public Works may immediately suspend a user's discharge, after informal notice to the user, whenever such suspension is necessary to stop an actual or threatened discharge which reasonably appears to present or cause an imminent or substantial endangerment to the health or welfare of City personnel or the general public. The Director of Public Works may also immediately suspend a user's discharge, after informal notice, that threatens to interfere with the operation of the POTW, or which presents, or may present, an endangerment to the environment.

(b) Any user notified of a suspension of its discharge shall immediately stop or eliminate its contribution. In the event of a user's failure to immediately comply voluntarily with the suspension order, the Director of Public Works may take such steps as deemed necessary, including immediate severance of the sewer connection, to prevent or minimize damage to the POTW, its reclaimed water, receiving stream or endangerment to any individuals. The Director of Public Works may allow the user to recommence its discharge when the user has demonstrated to the satisfaction of the Director of Public Works that the period of endangerment has passed, unless the termination proceedings in Section 30.11 (9) of this Chapter are initiated against the user.

(c) A user that is responsible, in whole or in part, for any discharge presenting imminent endangerment shall submit a detailed written statement, describing the causes of the

harmful contribution and the measures taken to prevent any future occurrence, to the Director of Public Works prior to the date of any show cause or termination hearing under Sections 30.11(4) or 30.11(9) of this Chapter.

(d) Nothing in this Section shall be interpreted as requiring a hearing prior to any emergency suspension under this Section.

(e) Nothing in the foregoing Section, or in this Chapter as a whole is intended to preclude the City from taking immediate action to temporarily modify a permit or to sever service of an industry completely when there is imminent risk of injury to the public sewerage system or to the health and welfare of the public or to the environment.

9. Termination of Discharge

(a) In addition to the provisions in Section 30.06(6) of this Chapter, any user who violates the following conditions is subject to termination of discharge to the City's wastewater system:

(i) Violation of Industrial User Discharge Permit conditions;

(ii) Failure to accurately report the wastewater constituents and characteristics of its discharge;

(iii) Failure to report significant changes in operations or wastewater volume, constituents, and characteristics prior to discharge;

(iv) Refusal of reasonable access to the user's premises for the purpose of inspection, monitoring, or sampling; or

(v) Violation of the pretreatment standards and local pollutant limits in Section 30.03 of this Chapter.

(b) Such user shall be notified of the proposed termination of its discharge and be offered an opportunity to show cause under Section 30.11(4) of this Chapter why the proposed action should not be taken. Exercise of this option by the Director of Public Works shall not be a bar to, or a prerequisite for, taking any other action against the user.

(c) The City reserves the right, at the discretion of the Director of Public Works, to either plug the sewer lateral to terminate the discharge or to sever water service to prevent discharges. The other appropriate regulatory agencies may be notified of this action.

10. Appeal Procedures

The user shall have the right to an administrative review of the Director of Public Works' determination by City Council (Council) of the City of Orlando. In order to exercise this right, the User shall comply with all applicable requirements of Chapter Two of the City Code, as it may be from time to time amended.

SECTION 30.12 - JUDICIAL ENFORCEMENT REMEDIES

1. Injunctive Relief

When the Director of Public Works finds that a user has violated, or continues to violate, any provision of this Chapter, an Industrial User Discharge Permit, or order issued hereunder, or any other pretreatment standard or requirement, the City may seek the issuance of a temporary or permanent injunction, as appropriate, which restrains or compels the specific performance of the Industrial User Discharge Permit, order, or other requirement imposed by this Chapter on activities of the user. The City may also seek such other action as is appropriate for legal and/or equitable relief, including a requirement for the user to conduct environmental remediation. A petition for injunctive relief shall not be a bar against, or a prerequisite for, taking any other action against a user.

2. Civil Penalties

(a) A user who has violated, or continues to violate, any provision of this Chapter, an Industrial User Discharge Permit, or order issued hereunder, or any other pretreatment standard or requirement shall be liable to the City for a maximum civil penalty of twelve hundred fifty dollars ($1,250) per violation, per day. In the case of a monthly or other long-term average discharge limit, penalties shall accrue for each day during the period of the violation.

(b) The City may recover reasonable attorneys' fees, court costs, and other expenses associated with enforcement activities, including sampling and monitoring expenses, and the cost of any actual damages incurred by the City.

(c) In determining the amount of civil liability, the Court shall take into account all relevant circumstances, including, but not limited to, the extent of harm caused by the violation(s), the magnitude and duration of the violation, any economic benefit gained through the user's violation, corrective actions by the user, the compliance history of the user, and any other factor as justice requires.

(d) Filing a suit for civil penalties shall not be a bar against, or a prerequisite for, taking any other action against a user.

3. Criminal Prosecution

(a) A user who willfully or negligently violates any provision of this Chapter, an Industrial User Discharge Permit, or order issued hereunder, or any other pretreatment standard or requirement shall, upon conviction, be guilty of a misdemeanor, and shall be punishable as set out in Section 1.08 of the City Code.

(b) A user who willfully or negligently introduces any substance into the POTW which causes personal injury or property damage shall, upon conviction, be guilty of a misdemeanor and shall be punishable as set out in Section 1.08 of the City Code. This penalty shall be in addition to any other cause of action for personal injury or property damage available under State law.

(c) A user who knowingly makes any false statements, representations, or certifications in any application, record, report, plan, or other documentation filed, or required to be maintained, pursuant to this Chapter, Industrial User Discharge Permit, or order issued hereunder, or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required under this Chapter shall, upon conviction, be guilty of a misdemeanor and shall be punished as set out in Section 1.08 of the City Code.

4. Remedies Nonexclusive

The remedies provided for in this Chapter are not exclusive. The Director of Public Works may take any, all, or any combination of these actions against a noncompliant user. Enforcement of pretreatment violations generally shall be in accordance with the City's enforcement response plan. However, the Director of Public Works may take other action against any user when the circumstances warrant. Further, the Director of Public Works is empowered to take more than one enforcement action against any noncompliant user.

SECTION 30.13 - SUPPLEMENTAL ENFORCEMENT ACTION

1. Performance Bonds

The Director of Public Works may decline to issue or reissue an Industrial User Discharge Permit to any user who has failed to comply with any provision of this Chapter, conditions in a a previous Industrial User Discharge Permit, or any order issued hereunder, or any other pretreatment standard or requirement, unless such user first files a satisfactory bond, payable to the City, in a sum not to exceed a value determined by the Director of Public Works to be necessary to achieve consistent compliance.

2. Liability Insurance

The Director of Public Works may decline to issue or reissue an Industrial User Discharge Permit to any user who has failed to comply with any provision of this Chapter, conditions in a previous Industrial User Discharge Permit, or any order issued hereunder, or any other pretreatment standard or requirement, unless the user first submits proof that it has obtained financial assurances sufficient to restore or repair damage to the POTW caused by its discharge.

3. Water Supply Severance

Whenever a user has violated or continues to violate any provision of this Chapter, an Industrial User Discharge Permit, or order issued hereunder, or any other pretreatment standard or requirement, water service to the user may be severed. Service will only recommence, at the user's expense, after they have satisfactorily demonstrated their ability to comply and have paid in full the penalties assessed for the violation(s) and outstanding invoices for wastewater services.

4. Public Nuisances

A violation of any provision of this Chapter, an Industrial User Discharge Permit, or order issued hereunder, or any other pretreatment standard or requirement is hereby declared a public nuisance and shall be corrected or abated as directed by the Director of Public Works. Any person(s) creating a public nuisance shall be subject to the provisions of the City Code in Chapter 30, and Chapter IV, governing such nuisances, including reimbursing the City for any costs incurred in removing, abating, or remedying said nuisance.

SECTION 30.14 - AFFIRMATIVE DEFENSES TO DISCHARGE VIOLATIONS

1. Upset

(a) For the purposes of this section, "upset," means an exceptional incident in which there is unintentional and temporary noncompliance with pretreatment standards because of factors beyond the reasonable control of the user. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.

(b) An upset shall constitute an affirmative defense to an action brought for noncompliance with categorical pretreatment standards if the requirements of paragraph (c), below, are met.

(c) A user who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that:

(i) An upset occurred and the user can identify the cause(s) of the upset;

(ii) The facility was, at the time, being operated in a prudent and workmanlike manner and in compliance with applicable operation and maintenance procedures;

(iii) The user has submitted the following information to the Director of Public Works within twenty-four (24) hours of becoming aware of the upset. If this information is provided orally, a written submission must be provided within five (5) days.

(iv) A description of the indirect discharge and cause of noncompliance;

(v) The period of noncompliance, including exact dates and times or, if not corrected, the anticipated time the noncompliance is expected to continue; and

(vi) Steps being taken and/or planned to reduce, eliminate, and prevent recurrence of the noncompliance.

(d) In any enforcement proceeding, the user seeking to establish the occurrence of an upset shall have the burden of proof.

(e) Users shall control production of all discharges to the extent necessary to maintain compliance with categorical pretreatment standards upon reduction, loss, or failure of its

treatment facility until the facility is restored or an alternative method of treatment is provided. This requirement applies in the situation where, among other things, the primary source of power of the treatment facility is reduced, lost, or fails.

2. Prohibited Discharge Standards

A user shall have an affirmative defense to an enforcement action brought against it for noncompliance with the general prohibitions in Section 30.03(1)(a) of this Chapter or the specific prohibitions in Section 30.03(1) of this Chapter if it can prove that it did not know, or have reason to know, that its discharge, alone or in conjunction with discharges from other sources, would cause pass through or interference and that either:

(a) A local pollutant limit exists for each pollutant discharged and the user was in compliance with each limit directly prior to, and during, the pass through or interference; or

(b) No local pollutant limit exists, but the discharge did not change substantially in nature or constituents from the user's prior discharge when the City was regularly in compliance with its NPDES or FDEP permit(s), and in the case of interference, was in compliance with applicable biosolids use or disposal requirements.

3. Bypass

(a) A user may allow any bypass to occur which does not cause pretreatment standards or requirements to be violated, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provision of paragraphs (b) and (c) of this section.

(b) If a user knows in advance of the need for a bypass, it shall submit prior notice to the Director of Public Works, at least ten (10) days before the date of the bypass.

(c) A user shall submit oral notice to the Director of Public Works of an unanticipated bypass that exceeds applicable pretreatment standards as soon as possible; however, in no case later than twenty-four (24) hours from the time the user becomes aware of the bypass. A written submission shall also be provided within five (5) days of the time the user becomes aware of the bypass. The written submission shall contain a description of the bypass and its cause; the duration of the bypass, including exact dates and times, and, if the bypass has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the bypass. The Director of Public Works may waive the written report on a case-by-case basis if the oral report has been received within twenty-four (24) hours.

(d) The Director of Public Works may take an enforcement action against a user for a bypass, unless:

(i) Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;

(ii) There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance; and

(iii) The user submitted notices as required under subsection (b) of this section.

(e) The Director of Public Works may approve an anticipated bypass, after considering its adverse effects, if the Director of Public Works determines that it will meet the three conditions listed in subsection (d) of this section.

SECTION 30.15 - OIL & GREASE MANAGEMENT AND SURCHARGE PROGRAMS

1. Purpose And Intent

The purpose of this section is to provide for the implementation of the Oil & Grease Management Program and the Surcharge Program. The objective of the Oil & Grease Management Program is to minimize the introduction of fat-soluble wastes to the collection system. The objective of the Surcharge Program is to recover the costs from users for receiving and treating abnormally high strength compatible wastes, such as CBOD and TSS.

2. Oil & Grease Prevention Program

(a) General Criteria

(i) The discharge by a user to the POTW of certain liquids or wastes may be prohibited or limited by the provisions of this Chapter.

(ii) Wastes, which contain oil and grease, may be discharged to the POTW in accordance with the conditions set forth in this Chapter.

(iii) Wastes containing oil and grease, including materials processed through garbage grinders, shall be directed to the grease interceptor or trap.

(iv) Wastes containing residual (trace amounts) petroleum based oil and grease shall be directed to the oil/water separator.

(v) Sanitary facilities and other similar fixtures shall not be connected or discharged to the oil and grease interceptor or the oil/water separator.

(vi) Liquid wastes shall be discharged to the oil and grease interceptor or oil/water separator through the inlet pipe only and in accordance with the design/operating specifications of the device.

(vii) Oil and grease interceptors and oil/water separators shall be installed in a location that provides easy access at all times for inspections, cleaning and proper maintenance, including pumping. Oil and grease interceptors shall not be located in or near any part of a structure where food handling is done. The Director of Public Works shall approve the location of the oil and grease interceptor or oil/water separator prior to installation.

(viii) Nonresidential establishments (users) that prepare, process or serve food or food products shall have an approved oil and grease interceptor. Nonresidential establishments that have the potential to discharge wastes containing residual petroleum based oil and grease, such as commercial laundries, car washes and automotive related facilities, shall have an approved oil/water separator. Other users may be required by the Director of Public Works to install an approved oil and grease interceptor or an oil/water separator, as appropriate, for the proper handling of wastes containing oil and grease exceeding one hundred (100) mg/l by weight.

(ix) Other types of food manufacturing or food preparation enterprises, such as, but not limited to, commissaries, commercial kitchens and caterers shall install an oil and grease interceptor. Oil and grease interceptors shall be sized on an individual case by case basis. A control manhole or inspection box for monitoring purposes shall be required and installed at the owner/operator's sole expense, as approved by the Director of Public Works.

(x) Multifamily dwellings; such as triplexes, quadraplexes, townhouses, condominiums, apartment buildings, apartment complexes or areas of intensified dwelling which are found by the Director of Public Works to be contributing oil and grease in quantities sufficient to cause main line stoppages, lift station malfunctions, or necessitate increase maintenance on the collection system, said user(s) shall be directed to cease discharging oil and grease to the POTW and/or shall be required to install a grease and oil interceptor. The capacity of the oil and grease interceptor shall be evaluated on a case by case basis. A control manhole or inspection box for monitoring purposes shall be required and installed at the owner/operator's sole expense, as approved by the Director of Public Works.

(xi) Automotive related enterprises, commercial laundries and laundromats and other users, which contribute wastes containing petroleum (hydrocarbon) based oils and greases shall install an oil/water separator. Oil/water separators shall be sized on an individual case by case basis using established design guidelines for the proposed facility. A control manhole or inspection box shall be installed downstream.

(xii) Oil and grease interceptors and oil/water separators shall be installed solely at the user’s expense. Proper operation, maintenance and repair shall be done solely at the user’s expense.

(xiii) Minimum removal efficiency for oil and grease interceptors for animal fats and vegetable oils shall be eighty (80%) percent. Minimum removal efficiency for oil/water separators for trace petroleum based wastes shall be ninety (90%) percent.

(xiv) The Director of Public Works may request that the non-residential user provide documentation on the design and performance of the oil and grease interceptor or oil/water separator. Information to be submitted includes, but may not be limited to, catalog cuts, performance data, materials of construction, installation instructions and operation and maintenance manual.

(xv) The Director of Public Works at his discretion may assign a non-residential user to the Surcharge Program.

(b) Design

(i) Oil and grease interceptors and oil/water separators shall be designed and constructed in accordance with this Chapter, the City's *Engineering Standards Manual*, latest edition, and other applicable State and local regulations. Design and construction shall be approved by the Director of Public Works.

(ii) The design of oil/water separators shall be based on peak flow and where applicable, capable of treating and removing emulsions. Oil/water separators shall be sized to allow efficient removal (retention) of the petroleum-based oils and grease from the user's discharge to the POTW.

(iii) Alternative oil and grease removal devices or technologies shall be subject to written approval by the Director of Public Works and shall be based on demonstrated (proven) removal efficiencies. Under-the-sink oil and grease interceptors are prohibited for new facilities.

(iv) An adequate number of inspection and monitoring points, such as a control manhole or inspection box, shall be provided.

(c) Capacity

The capacity of the approved oil and grease interceptor and oil/water separator shall be in accordance with the requirements set forth in the latest edition of the *Engineering Standards Manual*. The Director of Public Works may modify the requirements on a case by case basis.

(d) Installation

(i) *New Facilities*

On or after the effective date of this Chapter, facilities likely to discharge oil and grease, which are newly proposed or constructed, or existing facilities which shall be expanded or renovated to include a food service facility where such facilities did not previously exist, shall be required to install an approved, properly operated and maintained oil and grease interceptor or oil/water separator. Sizing calculations shall be in accordance to the formulas listed in the City's *Engineering Standards Manual*, latest edition. Oil and grease interceptors or oil/water separators shall be installed prior to the opening or reopening of said facilities.

(ii) *Existing Facilities*

(a) On or after the effective date of this Chapter, existing food service or automotive related facilities shall be required to install an approved, properly operated and maintained oil and grease interceptor or oil/water separator when any of the following conditions exist:

(i) The facilities are found by the Director of Public Works to be contributing oils and grease in quantities sufficient to cause line stoppages or necessitate increased maintenance on the collection system.

(ii) Remodeling of the food preparation or kitchen waste plumbing facilities that are subject to a permit that is issued by the Office of Permitting Services.

(iii) Remodeling of an automotive related enterprise, commercial laundry or other users that potentially may contribute wastes with petroleum based oils and greases.

(b) The compliance date under this Subsection shall be determined by the Director of Public Works.

(e) Extensions

Any requests for extensions to the required installation dates must be made in writing to the Director of Public Works, at least fifteen (15) days in advance of the compliance date. The written request shall include the reasons for the user's failure or inability to comply with the compliance date set forth, the additional time needed to complete the remaining work, and the steps to be taken to avoid future delays.

(f) Maintenance

(i) Cleaning and maintenance shall be performed by the user. Cleaning shall include the complete removal of all contents, including floating materials, wastewater, and bottom sludge and solids.

(ii) Decanting, backflushing or discharging of removed wastes back into the oil and grease interceptor or oil/water separator from which the waste was removed or any other oil and grease interceptor or oil/water separator, for the purpose of reducing the volume to be hauled and disposed is prohibited.

(iii) Oil and grease interceptors and oil/water separators shall be pumped out completely at a minimum frequency of once every ninety (90) days, or more frequently as needed to prevent carry over of oil and grease into the collection system. Under-the-sink oil and grease traps shall be cleaned at a minimum frequency of once per

week, or more often as necessary to prevent pass through of grease and other food solids to the collection system. Cleaning and maintenance shall include removal of materials from the tank walls, baffles, cross pipes, inlets and outlets.

(iv) Pumping frequency shall be determined by the Director of Public Works based on flows, quantity of oil and grease in the discharge, volume of business, hours of operations and seasonal variations. In no case shall the pumping frequency exceed 90 days. The user shall be responsible for maintaining the oil and grease interceptor or oil/water separator in such a condition for efficient operation. An interceptor shall be considered to be out of compliance if the grease layer on top exceeds six (6) inches and the solids layer on the bottom exceeds twelve (12) inches or if removal efficiencies as determined through sampling and analysis indicate less than eighty (80%) percent.

(v) Wastes removed from each oil and grease interceptor or oil/water separator shall be disposed at a permitted facility to receive such wastes or a location designated by the City for such purposes, in accordance with the provisions of this Chapter. In no way shall the pumpage be returned to any private or public portion of the collection system or the treatment plants, without prior written approval from the Director of Public Works.

(vi) Additives placed into the oil and grease interceptor, oil/water separator or building discharge line system on a constant, regular or scheduled basis shall be reported to the Director of Public Works in writing at least five (5) days prior to use. Such additives shall include, but not be limited to, emulsifiers, enzymes, commercially available bacteria or other additives designed to absorb, purge, consume, treat or otherwise eliminate grease and oils. Any use of additives shall be approved in writing by the Director of Public Works prior to introduction into the wastestream, interceptor, or separator. The use of additives in no way shall be considered as a substitution to the maintenance procedures required herein.

(vii) Flushing the oil and grease interceptor or oil/water separator with water having a temperature in excess of 140°F shall be strictly prohibited.

(viii) All maintenance of oil and grease management devices, including proper disposal, shall be performed by the user at the user's sole expense.

(g) User Identification

(i) It is unlawful for any facility producing oil and grease waste to discharge into the City's collection system without authorization from the Director of Public Works. Authorization shall be given in the form of an oil and grease discharge certificate. Application for a certificate shall be made to the Director of Public Works. If, after examining the information contained in the oil and grease registration certificate application, it is determined by the Director of Public Works that the proposed facility does not conflict with the provisions of the Chapter, a certificate shall be issued allowing the discharge of such wastes into the collection system. Each oil and grease registration certificate shall be issued for a time not longer than five years from the date of the certificate. The user shall apply for certificate reissuance

a minimum of sixty (60) days prior to the expiration of the user's existing certificate. The terms and conditions of the certificate may be subject to modification by the City during the term of the certificate as limitations or requirements as identified in this Chapter are modified or other just causes exist. The user shall be informed of any proposed changes in the issued certificate at least sixty days prior to the effective date of the change(s). Any changes or new conditions in the certificate shall include a reasonable schedule for compliance.

(ii) As a condition precedent to the granting of an oil and grease registration certificate, the recipient under this section shall agree to hold harmless the City and the City's employees from any liabilities arising from the user's operations under this certificate.

(iii) Fees for issuance and renewal of the oil and grease registration certificates shall be set by the City. The fees shall be established to insure full cost recovery, and shall include, but shall not be limited to, the cost of field, administrative, engineering and clerical expenses involved. The fees for the registration certificate shall be applied to the user's monthly water and sewer service bill and shall be paid in accordance to the terms and schedule set forth in the billing document.

(h) Administrative Procedures

(i) Pumpage from oil and grease interceptors and oil/water separators shall be tracked by a manifest that confirms pumping, hauling and disposal of waste. This manifest shall contain the following information:

Generator Information:
-Name
-Contact Person
-Address
-Telephone Number
-Volume Pumped
-Date and Time of pumping
-Name and Signature of generator verifying
-Generator information

Transporter information:
-Company Name
-Address
-Telephone Number
-Volume Pumped
-Date and Time of pumping
-Driver Name and Signature of transporter verifying transporter information and service

Destination Information Disposal Site or Facility:
-Company Name / Permit Number(s)
-Contact Person(s)

-Address
-Telephone Number
-Location of Disposal Site/Facility
-Volume Treated
-Date and Time of Delivery
-Driver Name, Signature and Vehicle No.
-Name and Signature of operator verifying disposal site/facility information

(ii) A log of pumping activities shall be maintained by the user for the previous twelve (12) months. The log of pumping activities shall be posted in a conspicuous location for immediate access by City personnel. The log shall include the date, time, volume pumped, hauler's name and license number and hauler's signature. The user shall report pumping activities within forty-eight (48) hours to the Director of Public Works on the form so designated by the City for such purposes.

(iii) The user shall maintain a file on site of the records and other documents pertaining to the facility's oil and grease interceptor or oil/water separator. The file contents shall include, but is not limited to, the record (as-built) drawings, record of inspections, log of pumping activities and receipts, log of maintenance activities, hauler information, disposal information and monitoring data. The file shall be available at all times for inspection and review by the Director of Public Works. Documents in the file shall be retained and preserved in accordance with Section 30.07(12) of this Chapter.

(iv) The Director of Public Works may require the user to provide, operate and maintain, at the user's expense, appropriate monitoring facilities, such as a control manhole, that are safe and accessible at all times, for observation, inspection, sample collection and flow measurement of the user's discharge to the POTW. The Director of Public Works may impose additional limitations and monitoring requirements for the discharge to the POTW in accordance with the provisions set forth in this Chapter.

(i) Enforcement

(i) A Notice of Violation shall be issued to a user for failure to:

(a) report pumping activities,

(b) properly maintain (clean-out or pump) the interceptor or separator in accordance with the provisions of the oil and grease discharge certificate,

(c) maintain and post the log of pumping activities,

(d) maintain a file of records on site at all times,

(e) provide logs, files, records or access for inspection or monitoring activities,

(f) obtain or renew the oil and grease discharge certificate registration, or

(g) pay program fees.

(ii) The Director of Public Works may serve any user a written notice stating the nature of violation. The user shall have seventy-two (72) hours to complete corrective action and submit evidence of compliance to the Director of Public Works.

(iii) If a user violates or continues to violate the provisions set forth in this section or fails to initiate/complete corrective action within the specified time period in response to a Notice of Violation, then the Director of Public Works may pursue one or more of the following options:

(a) pump the oil and grease interceptor or oil/water separator and place the appropriate charge on the user's monthly sewer bill;

(b) collect a sample and assess the appropriate surcharge(s) for compatible wastes in accordance with the provisions of this Chapter;

(c) impose an administrative penalty;

(d) assess a reasonable fee for additional inspection, sample collection and laboratory analyses;

(e) revoke the City occupational license;

(f) terminate water and sewer service; or

(g) any combination of the above enforcement actions.

(iv) Progressive enforcement action shall be pursued against users with multiple violations of the provisions of this section including, but not limited to, termination of water service.

(v) The user shall pay all outstanding fees, penalties and other utility charges prior to reinstatement of water and sewer service.

(vi) Any user in the Oil and Grease Management Program found in violation of the provisions in this section, and any orders, rules, regulations and permits that are issued pursuant to the Chapter, shall be served by the City with written notice by personal delivery by an authorized City employee or by registered or certified mail that states the nature of the violation and providing a reasonable time limit for satisfactory correction of the violation. The affected user shall permanently cease all violations within the time period specified in the notice. The enforcement remedies available to the City to achieve compliance with the requirements of the OGMP shall include those in Sections 30.11 and 30.12.

(vii) The Director of Public Works at this discretion may assign a non-residential user to the Surcharge Program for noncompliance with the provisions of this Chapter.

(j) Permits and Fees

(i) The Director of Public Works shall issue a Certificate of Registration to the users in the OGMP. The Director of Public Works may require users to complete an information questionnaire and facility visit prior to issuance of the registration certificate.

(ii) Users in the OGMP shall be assessed a program fee which shall be invoiced on the monthly OUC billing statement. Other reasonable fees may be adopted by the City to implement and enforce the provisions of the OGMP. Such fees are described in Section 30.18(6).

3. Surcharge Program

(a) General Criteria

(i) Significant commercial users, as defined in this Chapter, shall be subject to a surcharge on discharges to the POTW.

(ii) A surcharge may be assessed for any discharge of abnormally high strength compatible wastes from any parcel or developed property. Abnormally high strength compatible wastes shall be defined as those wastes with a $CBOD_5$ or TSS concentration above three hundred (300) mg/l. The Director of Public Works may evaluate the discharge from any parcel or developed property at least once per year, or more frequently at the Director's discretion, for determination of abnormally high strength compatible wastes.

(iii) The surcharge in dollars shall be computed by multiplying the difference in the concentration in milligrams per liter (mg/l) above the defined limits for each applicable constituent times the metered potable water consumption or metered sewer flow during the billing period in millions of gallons (MG) times the respective treatment surcharge factor in dollars ($) per pound.

(iv) The surcharge factor shall be derived each year using the following formula and shall be set forth in the schedule of fees:

$$\text{Surcharge factor} = \frac{\text{Total Cost of Treatment (\$)}}{\text{Total Annual Loadings Removed (lbs)}}$$

Where:

Total cost of treatment is the total operational costs, including prorated administrative costs, for the POTW during the preceding fiscal year.

8.34 is the factor to convert a concentration in mg/l to pounds for each million gallons of flow.

Total annual loadings removed is the amount of $CBOD_5$ and TSS removed annually from the total wastewater flow for the POTW.

Surcharge factor is expressed in dollars per pound.

(v) The surcharge shall be in addition to any applicable sewer charges and shall be assessed for each billing period. The surcharge shall be billed on the monthly utility statement to the user and shall be collected in the same manner as the other utility charges. Nonpayment or delinquency shall subject the user to the same penalties, including termination of service, as set forth for other utility services.

(b) Flow Determination

The flow volume for determination of the surcharge shall be based on one of the following:

(i) Metered water consumption as shown in the records of meter readings made by the utility authority;

(ii) Flow monitoring devices which measure the actual volume of wastewater discharged to the POTW and as approved by the Director of Public Works;

(iii) Flow monitoring devices for other water supplies processed from other sources besides the utility authority; or

(iv) Flow monitoring devices other than those for the utility authority shall be provided, installed, calibrated and maintained at the user's expense and in accordance with the plans that were approved by the Director of Public Works. Flow monitoring devices shall be calibrated at least annually.

(c) Constituent Concentration

The concentration of constituents in the user's discharge to the POTW shall be determined by samples collected and analyzed by authorized City personnel. Samples shall be collected in accordance with EPA protocols or *Standard Methods* and in such a manner to be representative of the actual discharge to the City's collection system. Samples shall be analyzed in accordance with procedures set forth in 40 CFR 136 and Chapter 62-160, F.A.C., as may be amended from time to time. The surcharge shall be based on the determination of the constituent concentrations by the Director of Public Works.

(d) Monitoring

(i) Samples shall be collected routinely, at least once per year, by authorized City personnel.

(ii) Samples shall be collected routinely of discharges from users that are known to be or suspected of containing abnormal high strength compatible wastes.

(iii) Samples may be collected manually or using automatic sampling equipment. Grab samples may be taken manually. Composite samples may be retrieved with automatic sampling equipment or performed manually with aliquots of grab samples.

(iv) To the extent possible, samples will be collected to obtain a representative characterization of the user's discharge. Samples may be flow or time proportional.

(v) Significant commercial users shall install and maintain a monitoring facility, as approved by the Director of Public Works; including, but not limited to, a control manhole and suitable automatic sampling equipment. Monitoring sites and facilities shall be accessible to authorized City personnel at all times.

(vi) Sample analyses shall be done routinely at the City's wastewater laboratories. The Director of Public Works may send the samples to a certified commercial laboratory currently under contract to the City.

(vii) The costs of sample analyses performed by the certified commercial laboratory shall be assessed directly to the user.

(viii) The user may request that the sample analyses be performed by an independent, certified commercial laboratory. The costs for such analyses shall be borne solely by the user.

(ix) The costs for sample collection and analysis (laboratory work) shall be those rates as described in the schedule of costs (fees) for the certified commercial laboratory currently under contract to the City.

(x) Significant commercial users may be assessed the costs for sample collection and laboratory analyses, but shall not exceed the costs for one monitoring activity per month.

(e) Permits

The Director of Public Works may require users in the Surcharge Program to apply for an industrial user discharge permit. Users that meet the criteria for significant industrial user shall obtain an Industrial User Discharge Permit.

SECTION 30.16 - GROUNDWATER REMEDIATION AND MISCELLANEOUS DISCHARGES

1. Groundwater Remediation Discharges

(a) Purpose

The purpose of this section is to provide for the discharge of treated groundwater from remediation sites by users of the collection system without causing pass through, upset or interference at the WRF's.

(b) General Criteria

(i) The discharge by a user to the POTW of certain liquids or wastes may be prohibited or limited by the provisions set forth in this Chapter or by decision of the Director of Public Works.

(ii) A groundwater remediation facility that discharges to the City's collection system shall be classified as a significant industrial user.

(iii) Groundwater from remediation sites shall be pretreated prior to discharge to the POTW.

(iv) An industrial user discharge permit application shall be submitted to the Director of Public Works by the user before issuance of an industrial user discharge permit. The Director of Public Works may require complete characterization of the groundwater prior to issuing an industrial user discharge permit. The permit application shall be completed pursuant to the requirements in Section 30.05.

(v) The Director of Public Works may impose limitations and monitoring requirements for the treated discharge to the POTW in accordance with the provisions of this Chapter and standards set forth in Chapter 62-550, F.A.C.

(vi) The user shall not discharge untreated or treated groundwater to the POTW without written approval of the Director of Public Works or obtaining an industrial user discharge permit.

(vii) A flow-monitoring device shall be installed on the discharge line in accordance with the plans approved by the Director of Public Works and the manufacturer's recommendations. The flow monitoring shall be provided, installed, calibrated and maintained at the user's expense. The flow measuring devices shall be calibrated quarterly.

(viii) The user shall provide a monitoring point at their sole expense for the collection of samples and field data.

(ix) Groundwater treatment systems shall be designed and operated in accordance with the best available technology and as approved by the Director of Public Works.

(x) Pursuant to the provisions of the industrial user discharge permit, the Director of Public Works shall require the discharge to the collection system to be monitored on a regular basis for the determination of compliance with the limits set forth in this Chapter.

(c) Discharge Limits

Discharges from groundwater remediation facilities to the POTW shall comply with the standards for organic compounds as set forth in 40 CFR 414.101, 40 CFR 414.111 or the standards established by FDEP for low yield/poor quality groundwater or natural attenuation of default sources concentrations as set forth in Chapter 62-777, F.A.C.

2. Medical Wastes

(a) Hospitals, clinics, medical/dental practitioner offices, convalescent and nursing homes, medical/dental laboratories and funeral homes shall dispose of medical wastes, pathological wastes, laboratory wastes, contaminated medical wastes and wastes from expired humans (corpses) in accordance with the latest edition of guidelines that are published by EPA, the Centers for Disease Control (CDC), the Public Health Department or other appropriate Federal and State agencies.

(b) Toxic, biological or contaminated wastes which are not addressed by the aforementioned guidelines shall not be discharged to the City's wastewater collection system without written permission from the Director of Public Works.

(c) Hospitals, clinics, medical/dental practitioner offices, convalescent and nursing homes, medical/dental laboratories and funeral homes shall prepare and maintain a Biomedical Waste Plan in accordance with the requirements set forth in Chapter 64E-16, F.A.C. The Biomedical Waste Plan shall be available for review by the Director of Public Works.

(d) The Biomedical Waste Plan and other pertinent records shall be retained and preserved at the facility in accordance with Section 30.07(12) of this Chapter. Records shall be available for review by the Director of Public Works.

(e) Enforcement action shall proceed in accordance with the provisions set forth in this Chapter.

3. Miscellaneous Discharges

(a) Purpose

The purpose of this section is to provide for other types of discharges to the POTW, including, but not limited to, uncontaminated groundwater, cooling water, unpolluted process water, miscellaneous pumpage and leachate or runoff from solid waste handling facilities.

(b) General Criteria

(i) The user shall provide written notification to the Director of Public Works and explain the necessity for this miscellaneous discharge and receive written authorization prior to commencement of discharge.

(ii) The user may be required to submit an Industrial User Discharge Permit application to the Director of Public Works.

(iii) The Director of Public Works may impose restrictions, prohibitions or other provisions on the discharge in accordance with this Chapter.

(iv) The Director of Public Works may limit the volume and duration of the discharge to the POTW. The user shall be responsible for measurement of the flows to the POTW. The flow monitoring device shall be provided, installed and maintained in accordance with the guidelines set forth by the Director of Public Works and at the sole expense of the user.

4. Reduction Credit

(a) A reduction credit may be granted to nonresidential users of the POTW for abnormally low strength compatible wastes. Abnormally low strength compatible wastes shall be defined as those wastes with a $CBOD_5$ and TSS concentration less than fifty (50) mg/l. The user may request the Director of Public Works, at the sole expense of the user, to evaluate their discharge for classification as abnormally low strength compatible wastes.

(b) The reduction credit in dollars shall be derived annually using the following formula and shall be set forth in the schedule of fees:

$$\text{Reduction Factor} = \frac{\text{Cost of Treatment (\$) per million gallons}}{\text{200 (mg/l)}}$$

Where:

Cost of treatment is the total operational costs, including prorated administrative costs, for the POTW during the preceding fiscal year divided by the total flow for the WRFs in millions of gallons

The number *200* is the minimum normal CBOD and suspended solids (TSS) concentrations expressed in milligrams per liter (mg/l) as defined for abnormally low strength compatible wastes in Section 30.01 (4).

Reduction factor is expressed in dollars per milligram per liter (mg/l).

(c) The reduction credit shall be calculated as the product of the reduction factor times the concentration, in milligrams per liter (mg/l), of each constituent as defined for abnormally low strength compatible wastes times the total flow in millions of gallons during the billing cycle.

(d) The reduction credit will be granted for each billing period. The reduction credit will appear on the monthly utility statement for the user.

5. Sand, Grit and Debris Interceptors

(a) Purpose

The purpose of this section is to minimize the introduction of sand and grit into the collection system.

(b) General Criteria

(i) Wastes containing excessive amounts of sand and grit shall be directed to an interceptor for removal. Wastes containing excessive amounts of floatables or other debris that could cause clogs in the collection system, such as, but not limited to, rags, strings, feathers, entrails, glass or other objects larger than one (1) inch in size, shall direct the flow to an interceptor with a screening device that would prevent passage of these said solids into the collection system.

(ii) Sand and grit interceptors and screening devices shall be provided at the user's expense. The interceptor shall be installed, operated and maintained in accordance with the plans approved by the Director of Public Works and the manufacturer's recommendations.

(iii) Sand and grit interceptors and screening devices shall be designed and installed to accommodate the anticipated range of flows.

(iv) Sand and grit interceptors and screening devices shall be installed for easy access for cleaning and inspection. Sand and grit interceptors and screening devices shall be serviced and emptied of their contents on a regularly scheduled basis to maintain efficient operation at all times. Operation and maintenance of the sand and grit and screening devices interceptor shall be performed at the user's expense.

(v) Wastes removed from the sand and grit interceptors and screening devices shall not be discharged into the POTW. The user shall maintain a log of cleaning activities and a file on site of the records and documents related to the sand and grit interceptor. Record/documents retained in the file should include as-built drawings, manufacturer's instructions, log of cleaning activities, hauler information and receipts, site inspection reports and monitoring data.

(vi) Failure to comply with the provisions set forth herein can result in implementation of enforcement procedures set forth in this Chapter.

SECTION 30.17 - REGULATION OF SEWER EXTENSION

1. Intent

The intent of this section shall be to establish general regulations facilitating the coordination and orderly expansion of the municipal wastewater collection system.

2. Initiation of Projects

(a) Depending on the size and cost, an extension of the City sewer system may be initiated by action of City Council or by the Director of Public Works.

(b) To obtain sewer service for a dwelling or development, property owners, including developers, shall extend sewers as necessary to the closest available point of connection as determined by the Director of Public Works.

(c) The City may, at its discretion, participate in the cost of oversizing developer-built sewers to accommodate future development in the service area.

3. Application by Developers

The developer shall fully detail in writing the scope and purpose of the desired sewer extension. Applicant shall submit engineering plans, Florida Department of Environmental Protection permit applications, and other relevant information as required by the Director of Public Works.

4. Project Feasibility

All proposed sewer system extensions shall be analyzed by the Director of Public Works from the standpoint of sound business and engineering practice.

5. Project Authorization

(a) Sewer extensions to serve developments and which are to be constructed at no cost to the City shall be deemed authorized upon approval of the project plans and specifications by the Director of Public Works and upon issuance of such permits and payment of fees and other charges as may be required by Chapter or by act of City Council.

(b) All sewer extensions requiring the use of municipal funds shall be approved by the Director of Public Works and, as appropriate, by City Council.

6. Project Denial

(a) A request for City sewer extension may be denied whenever estimated installation or maintenance costs are deemed excessive in relation to anticipated revenue, for such other reason whereby the requested extension is not deemed feasible or whenever otherwise contrary to the best interests of the City. When denied, the applicant shall be notified in writing of the reason(s) for the denial.

(b) A denial by the Director of Public Works of a City sewer extension may be appealed by the applicant to City Council.

7. Design

(a) Plans and specifications shall be in conformance with City standards and shall show the seal of a professional engineer registered in the State. All plans and specifications for proposed sewer extensions and appurtenances to be connected to the City sewer system shall be approved by the Director of Public Works prior to construction.

(b) For extensions not designed and constructed by the City, one reproducible set of plans showing the completed work, as built, together with an affidavit of periodic and final inspections by a registered professional engineer, certifying that the work as constructed complies with City standards, shall be deposited with the Director of Permitting Services prior to his final approval of the work. This shall be done in accordance with the provisions in the latest edition of the *City Land Development Code*.

8. Location and Installation

Sanitary sewers and appurtenances shall be extended and located only in public rights-of-way, or in easements acceptable to the City. Wastewater pumping stations and related appurtenances shall be constructed only on appropriately sized tracts of land dedicated to the City. In new subdivisions, sewer extensions may be installed only in public rights-of-way and easements where the finished grade has been established and approved by the Director of Public Works. Actual interconnection of new extension with the existing municipal sewer system shall be prohibited by placing a temporary bulkhead in connecting lines, until the new extension has been fully cleaned and inspected and all other conditions for extension of the service have received the approval of the Director of Permitting Services.

9. Extension Outside the Corporate Limits

Sewer extensions constructed outside the corporate limits of the City shall be made only for the purpose of providing service to other areas within the City Wastewater Service Territory by the most direct, efficient, and/or economical method.

10. Installation and Inspection Standards

(a) All installation work and materials shall be in accordance with the City's requirements and standards, and shall be subject to the inspection and approval of the Director of Public Works. The developer shall provide to the City a CCTV inspection of all private or public sanitary sewer lines, excluding laterals, constructed as part of the development.

(b) Reinspection of the sanitary sewer system due to the improper repair of defects previously identified during the inspection process may be subject to a reinspection fee.

11. Termination of Lateral

The lateral from the public sewer shall terminate at the back of the street curb or, in the case of an uncurbed street, alley or sewer easement, at the property line of the owner. It shall be the responsibility of the property owner or user to extend at his own expense the lateral to the building plumbing.

12. Ownership

The ownership of any extension and related appurtenances laid within a public right-of-way or easement and connected to the City sewer system in accordance with this resolution shall at all times remain with the City unless the City determines that the extension is part of a private system. Private system extensions remain the property of the property owner up to the point of connection with the public system.

13. City's Rights Reserved

(a) No agreement to extend the municipal sewer system under the provisions of this Chapter shall restrict the City's right to make subsequent extensions or connections thereto.

(b) The City shall reserve the right, at all times, to refuse extension of sewer service when such extension is not economically feasible; when the basis of proposed use is detrimental to the sewerage system; for noncompliance with the policies, rules and regulations established by this Chapter or with any duly adopted City Chapter; or for any other cause whereby such extension will not be to the benefit of the best interests of the City.

SECTION 30.18 - WASTEWATER TREATMENT RATES AND FEES

1. General

A uniform schedule of rates has been established for the use of the services and facilities of the municipal sanitary sewer system by each dwelling unit, business establishment, church, hospital and every other type of private or public building, structure or activity producing wastewater or wastes. Effective on March 1, 1999, the monthly rates for users of the City's sanitary sewer system are detailed in the remainder of this section.

2. Rates within City Limits

(a) Living Quarters:

(i) Single-Family Living Units *

$1.90 per 1,000 gallons of metered water up to a maximum of $26.60 for 14,000 gallons, plus a capacity charge of $9.50, resulting in a total maximum of $36.10.

(ii) Multiple-Family Living Units **

(a) Efficiency and One Bedroom Units

$17.48 flat rate per unit if certified by property owner. This rate will take effect only after certification by the property owner and there will be no retroactivity credit. Rate is comprised of $1.90 per 1,000 gallons for 4,200 gallons, plus a capacity charge of $9.50.

(b) Two or More Bedrooms

$20.90 flat rate per unit. Rate is comprised of $1.90 per 1,000 gallons for 6,000 gallons, plus a capacity charge of $9.50.

(iii) Multiple-Family Living Units***

$1.90 per 1,000 gallons of metered water with no cap on usage, plus a capacity charge of $9.50 for each ERC or portion thereof rounded to the nearest 0.1 unit.

(b) Commercial, Institutional, Churches and Others

$1.90 per 1,000 gallons of metered water with no cap on usage, plus a capacity charge of $9.50 for each ERC or portion thereof rounded to the nearest 0.1 unit.

(c) ~~Septic Tanks****~~

~~$9.50 flat rate per unit.~~

* All classifications if served by an individual water meter, including single-family dwellings, apartments, condominiums, town houses, mobile homes, etc.

** All classifications if served by a common water meter including apartments, condominiums, townhouses, mobile homes, etc.

*** Master meter.

~~****Includes single and multiple-family residential, hotel and motel, commercial, institutional, churches and others. Charge comprised of availability charge and is applied to properties 100 feet or less from the public sanitary sewer system.~~

3. Rates in Unincorporated Areas

The rate schedule in (2) above shall not preclude the City Council from assessing a higher sewer service charge for users outside the corporate limits of the City, provided that such service charges comply with applicable State laws and regulations.

(a) Living Quarters:

(i) Single-Family Living Units*

$2.85 per 1,000 gallons of metered water with a maximum of $39.90 for 14,000 gallons, plus a capacity charge of $14.25, resulting in a total maximum of $54.15.

(ii) Multiple-Family Living Units**

(a) Efficiency or One Bedroom Units

$26.22 flat rate per unit if certified by property owner. This rate will take effect only after certification by the property owner and there will be no retroactivity credit. Rate is comprised of $2.85 per 1,000 gallons for 4,200 gallons, plus a capacity charge of $14.25.

(b) Two or More Bedroom Units

$31.35 flat rate per unit. Rate is comprised of $2.85 per 1,000 gallons for 6,000 gallons, plus a capacity charge of $14.25.

(c) Multiple-Family Living Units***

$2.85 per 1,000 gallons of metered water with no cap on usage, plus a capacity charge of $14.25 for each ERC or portion thereof, rounded to the nearest 0.1 unit.

* All classifications if served by an individual water meter, including single-family dwellings, apartments, condominiums, townhouses, mobile homes, etc.

** All classifications if served by a common water meter including apartments, condominiums, townhouses, mobile homes, etc.

*** Master meter

(b) Commercial, Institutional, Churches and Others

$2.85 per 1,000 gallons of metered water with no cap on usage, plus a capacity charge of $14.25 for each ERC or portion thereof, rounded to the nearest 0.1 unit.

4. Multi-Service Meters

Where a single water meter serves two (2) or more types of customers as set forth in this section, the sewer service charge shall be the greater of the following:

(a) The actual consumption figure of water usage multiplied by the highest applicable City or non-City commodity and capacity rates, as set out above, or

(b) The applicable City or non-City flat rate as set out above.

5. Pretreatment Program

The City may adopt reasonable fees for reimbursement of costs to implement and enforce the Pretreatment Program, such reasonable fees may include:

(a) Fees for Industrial User Discharge Permit applications; including the cost of processing such applications;

(b) Fees for monitoring, inspection, and surveillance procedures including the cost of sample collection and analysis of a user's discharge, and reviewing self monitoring reports;

(c) Fees for reviewing and responding to accidental discharge procedures and construction;

(d) Application fee for new Industrial User Discharge Permits shall be $200.

(e) Industrial User Discharge Permit Renewal fee shall be $200.

6. Oil and Grease Management Program

The current schedule of fees for the Oil and Grease Management Program, which becomes effective upon adoption of this Chapter by the City Council, shall include:

(a) Monthly administrative charge of $20.

(b) Monthly administrative charge may be adjusted following a financial analysis.

(c) Additional facility inspections for compliance purposes shall be $100 per visit.

(d) Pump-out of the oil and grease interceptor or oil/water separator shall be at the rate stated in the City's current contract with the appropriate vendor.

(e) Sample collection and laboratory analysis related to enforcement activities shall be at the rates stated in the Schedule of Costs (fees) for the certified commercial laboratory under contract with the City.

7. Fees for Other Programs

(a) The City may adopt other reasonable fees as deemed necessary to carry out the requirements and programs in this Chapter. These fees relate solely to the matters covered by this Chapter and are separate from all other fees, fines, and penalties assessed by the City. These fees are charged to recover the costs incurred by the City to implement and enforce the provisions of this Chapter.

(b) Additional facility inspections for compliance purposes shall be $100 per visit for users subject to the Best Management Practices Plan for Silver Dischargers.

8. Required Sewer Service Connection

Except as may be expressly authorized by the City Council, no connection shall be made to the municipal wastewater system from any structure unless such structure is connected to, and served by the water and electric system of the Orlando Utilities Commission or the electric system of Florida Power Corporation.

9. Charges For Sewer Service

(a) There shall be no free service rendered by the municipal sewer system.

(b) Effective November 1, 1968, sewer service shall be considered as rendered to each customer, the property owner or user of developed property who has connected to the sewer system, and the monthly sewer service charge shall be imposed.

~~(c)Effective on and after November 1, 1969, sewer service shall be considered as rendered to each customer, the property owner or user of developed property, who has not connected to the sewer system. The applicable monthly sewer charge shall be imposed; provided that the property owner or user of the developed property is required to connect to the public sewer system under the provisions set forth in this Chapter. Connection to the public sewer system has been deemed essential to the health and well being of the citizens. Furthermore, the City expends funds to make such service available.~~

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~~(d)Sewer service charges shall be imposed as set forth above or following due publication that provides ninety (90) days notice regarding the availability of recent additions/extensions of the public sewer system.~~

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10. Sewer Deposits

The City through the Orlando Utilities Commission shall collect from all new residential customers a cash deposit to guarantee the payment of sewer bills. Such deposit shall be at least Fifty Dollars ($50.00) for sewer service and shall be handled in accordance with the Administrative Policy of the Orlando Utilities Commission.

11. Billing

(a) Standard Service

Bills for standard sewer service shall be rendered monthly. If any such bill for sewer service shall not be paid within thirty (31) days from the date of original billing, the City shall cause water service to such customer to be discontinued. Such water service shall not be reconnected until all past due bills for sewer service are paid, together with all reconnection charges and/or implement administrative actions as set forth under Section 30.11(7)(b).

(b) Special Service

Billings for surcharge or reduction credit in accordance with Section 30.15(3)(a)(iv) and Section 30.16(5), respectively, shall be rendered for each billing cycle, typically on a quarterly basis. Delinquent payments for special service billings shall be subject to conditions set forth under subsection (a) above and/or Section 30.11(7)(b).

(c) Charges For Portion Of Billing Period

Charges for sewer service rendered for a portion of the regular monthly billing period shall be computed according to the percentages established in billing for electric and water service for portions of a monthly billing period by the Orlando Utilities Commission.

(d) Reconnection charges.

If sewer service is discontinued for non-payment of sewer service charges or other violation of the provisions of this Chapter, there shall be imposed a reconnection charge in an amount established by the Orlando Utilities Commission in accordance with their current practice and procedures in regard to the establishment of reconnection charges for water and electric service.

12. Other Miscellaneous Provisions

(a) It shall be unlawful for any person to tap, cut or in any way use any ~~building sewer~~lateral, other public sewer or part of the sanitary sewerage system or utility, without a written permit issued by the Director of Public Works and without the payment of all rates and charges required by the City for the use of such utility.

(b) Billing for sewer services as specified in this Chapter, shall be accomplished in such manner as the City Council shall from time to time arrange and determine.

(c) Billing for surcharges or credit reductions for abnormal strength compatible wastes, as provided by this Chapter, shall be computed and processed by the Director of Public Works, and coordinated through the Director of Finance.

(d) Private wells that contribute discharge to the municipal sewer system shall be metered at the expense of the property owner and such meter shall be made available for reading and billing purposes.

13. Credit for Nonsewer Discharged Water

(a) A major institutional, commercial, or industrial user may receive a credit against the standard sewer rates based upon water usage as provided above if the user consumes or uses at least twenty-five percent (25%) of the water or twenty thousand (20,000) gallons per month, whichever is less, in such a manner so that it is not discharged into the City sewer system.

(b) To be eligible for the credit for nonsewer discharged water, the user shall comply with all program requirements, including any applicable discharge standards that the Director of Public Works may apply at the source of the discharge.

~~(c)~~The credit shall be based upon a separate meter measuring the water, which is not discharged into the City sewer system. This credit meter shall be an Orlando Utilities Commission approved, radio transmitting/remote reading water meter. In a cooling tower application, the credit meter reading will be offset by the volume of water discharged to the sewer system as blowdown.~~, unless the Director of Public Works determines that it is not economically feasible to install and utilize an Orlando Utilities Commission water meter.~~

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~~(d)User installed water meters to measure nonsewer discharged water, if permitted by Subsection (c) above, shall be approved by the Director of Public Works as to type and location prior to installation.~~

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~~(e)Unless otherwise approved by the Director of Public Works, user installed water meters up to two (2) inches in size shall be in accordance with AWWA C700-71 specifications, and be able to totalize to a minimum of six (6) digits.~~

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~~(f)~~(c) The user shall ~~tabulate internal water~~ credit meter readings, including the actual meter readings and total gallons used during each monthly period, and shall submit the said tabulation to the City in a format established by the City by the tenth day of the following month. If the meter readings are not submitted as herein prescribed, the Director of Public Works may disallow the credit for nonsewer discharged ~~the Director of Public Works may disallow~~ water.

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~~(g)~~(d)~~Internal water~~ The user shall maintain the credit meters in good working order. ~~-~~Credit meter readings are subject to regular review and spot checks by the City. If an error in the credit meter reading which was submitted by the user to the City for a credit is discovered, then the credit requested may be disallowed by the Director of Public Works. Repeated errors in credit meter readings may constitute grounds for permanently disallowing credit for nonsewer discharged water.

~~(h)The user shall maintain the internal privately owned water meters in good working order. If water usage cannot be used as a basis for obtaining a credit.~~

(e) The User shall not divert water downstream of the credit meter to uses that may result in discharge of water to the sanitary sewer system. If any such diversion occurs without the prior approval of the Public Works Director, the Public Works Director may disallow the credit from the date of the diversion. If the date of the diversion is not known, an estimated date will be used.

~~(i)~~(f) The credit for nonsewer discharged water shall be ~~applied to a~~ deducted from subsequent sewer service billing and shall be calculated as follows:

$$C = A - B$$

Where,

C = Credit due

A = Charge for sewer service determined on a water bill based upon the entire amount of water used.

B = Charge for sewer service determined on a water bill based upon an amount of water equal to the total amount of water used minus the amount of nonsewer discharged water used.

(g) Participants in the credit meter program shall be prohibited from discharging molybdenum to the sanitary sewer system in an amount greater than 0.3 mg/l. Violations of this standard by the User may constitute grounds for disallowing credit under the then current billing cycle. Continued violations may cause the User to be removed from the credit meter program for a period of twelve months. Continued violations following reinstatement shall be grounds for permanently removing the User from the credit program.

SECTION 30.19 - SEWERAGE BENEFIT FEES

1. Intent and Purpose

The intent of this section shall be to establish and regulate fees for the purpose of compensating the City in part for costs incurred in providing Water Pollution Control facilities for the prevention of pollution of the area's ground and surface waters and in extending lateral sewers to a point of reasonable availability for service to the City sewerage system. The fees shall be computed on the basis of sewer flow generated by the property use, zoning and size in

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approximate proportion to the benefits received. Payment of fees shall be governed by the provisions of the City of Orlando Sewer Service Policy, latest edition, as administered by the Office of Permitting Services.

2. Charge for Water Pollution Control

The charge for water pollution control shall be as set forth in Subsection (5) below.

3. Sewer Availability

A public sewer shall be construed to be reasonably available to a premise if the public sewer is within a distance of one hundred feet (30.5 meters) of the property line of the premises to be served.

4. Properties Subject to Charge

(a) Charge for Sewerage Collection System

(i) All developed property to which a City sewer has been made reasonably available shall be subject to the charge for Wastewater Collection System as specified in Sub-section (4)(a)(iii) below as a condition to sewer connection and services except under the following conditions:

(ii) There shall be no charge for the Wastewater Collection System under this section if a Wastewater Collection System charge has been paid or lawfully assessed prior to the adoption of this section except where developmental changes to a property increase anticipated sewer flow.

(iii) There shall be a charge of $1.15 per gallon of capacity requested for all developed property not otherwise exempted under subsection (4)(a)(ii) above.

(b) Charge For Water Pollution Control

(i) All developed property and other real property as specified in Subsection (5), paragraphs (a)(i), (a)(ii) and (a)(iii) of this section not connected to and served by the City sewer system as of the effective date of this Chapter shall be subject to imposition of the charge for water pollution control specified in Subsection (5) as compensation for City-wide control of pollution of surface and ground waters.

(ii) All property connected to and served by the City sewer system at the time of adoption of this section shall be exempt from payment of this charge; except that where future developmental changes to a property increases anticipated wastewater flows, the developed property shall be subject to the applicable charge for water pollution control as specified in Subsection (5) below.

5. Schedule of Sewerage Benefit Fees

(a) The real properties subject to the provisions of this section, and the amount of fees imposed and levied hereunder, and other provisions and requirements pertaining thereto are as follows:

(i) Single-Family Dwelling Units

(a) *Charge for sewage collection system.* There shall be a charge of $1.15 per gallon of capacity requested for all developed property not otherwise exempted under Subsection (4)(a)(i) above.

(b) *Charge for water pollution control.* The charge for water pollution control for all single-family dwelling units shall be based on the following rates indicated per gallon of capacity requested, without respect to zoning classification and said capacity request figure shall be subject to the review and approval of the Director of Public Works or his designee as to reasonableness.

(c) *1999* and subsequent years:

City Rate shall be $9.00 per gallon of capacity requested.

Unincorporated Area Rate shall be $11.25 per gallon of capacity requested.

(ii) Multiple Dwelling Units

(a) *Charge for sewage collection system.* There shall be a charge of $1.15 per gallon of capacity requested for all developed property not otherwise exempted under Subsection (4)(a)(i) of this Section.

(b) *Charge for water pollution control.* The per unit charge for water pollution control for all multiple-family dwelling units shall be the same as for single-family dwelling units as set forth in Subsection (5) (a) (~~i~~ii) above.

(c) *Total Sewerage Benefit Fee.* The total sewerage benefit fee for multiple dwelling units shall be the sum of the applicable charges.

(iii) Institutional, Commercial and Others

~~(a)~~*Charge for sewage collection system.* There shall be a charge of $1.15 per gallon of capacity requested for all developed property not otherwise exempted under Subsection (4)(a)(i) above.

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~~(b)~~(a) *Charge for water pollution control.* The water pollution control charge is the same as for single-family dwelling units as set forth in Subsection (5)(a)(~~i~~ii) above and will be computed on the basis of the fixture-unit values or other methodology adopted by the City for such purpose. Said capacity request figure

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shall be subject to the review and approval of the Director of Public Works or his designee as to reasonableness.

~~(c)~~(b) *Fee for total sewerage benefit.* The total sewerage benefit fee shall be the sum of the applicable charges.

(b) Notwithstanding any other provision of this Section 30.19, whenever it is demonstrated, in accordance with such standards as may be used by the City, that the requested sewerage capacity allocation will be less than that which would otherwise be required using the standards of computation set forth in this section, then the water pollution control charge shall be based on the gallonage of sewerage capacity actually proposed to be allocated by the City.

(c) Notwithstanding any other provision in this Subsection (5), the portion of the sewerage benefit fee which represents the water pollution control charge for all single-family dwelling units, multiple dwelling units and institutional, commercial and other units shall be based on the applicable rate as set forth in Subsection (5)(a)(~~i~~ii) above, and the gallons of capacity requested for all such units.

SECTION 30.20 - SEWER EXTENSION AND CONNECTION CONSTRUCTION COSTS

If the City is requested to extend or elects to extend public sewers into an area that lacks service, all property owners connecting to the public sewer shall pay their proportional share of the sewer system construction cost at the time of connection in accordance with Section 30.22(2). For single family residential units, the City has adopted the following construction fee schedule for public sewer extension projects:

(a) *Charge for sewer extension.* The charge for sewer extension per single family residence located within City limits shall be $2950 as of 2001.

(b) *Charge for pumping station.* Should the sewer extension project require the construction of a pumping station, an additional charge of $195 per single family residence, as of 2001, will be added to the charge for sewer extension.

(c) *Charge adjustments.* The sewer extension and pumping station charges will be reviewed annually to determine if adjustments are required based on modifications to the applicable construction industry price index

(d) *Charges for unincorporated areas.* The sewer extension and pumping station charges for unincorporated areas will be the actual cost of construction divided among all of the property owners that could be served by the sewer system.

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Applicants requesting or required by the City to install more than one connection to the public sewer for a single property or a connection at a location other than that provided by an existing lateral stub to the property, shall pay the installation costs for each such lateral stub.

SECTION 30.21 - SEPTIC SYSTEM ABANDONMENT CREDIT

1. Lateral Extension

The Owner of a house, building or property within the City limits who is directed or ~~directed~~ required to connect to the public sewer system under the conditions set forth in Section 30.02(2)(f) or elects to abandon a septic system serving their property shall be eligible for a septic tank credit. The amount of the credit shall be based on the proximity of the property in question to the closest available public sewer. For property that is less than 100 feet from the sewer, the credit shall be $1,746 per property. If the owner or tenant in the case of rental property has been paying the capacity charge component of the monthly wastewater user fee, an additional credit equal to the capital portion of the capacity charge shall be granted.

2. Non-Lateral Extension

For property that is greater than 100 feet from the closest available public sewer and cannot be served by the extension of a lateral alone, the credit shall be $3,384 per property. Property in this category that can be served by the extension of a lateral shall be eligible for the $1,746 credit only.

SECTION 30.22 - MISCELLANEOUS PROVISIONS

1. Required Water Connection

Except as may be expressly authorized by the Director of Public Works, no extension of the City sewerage system shall be made to serve any structure unless such structure is connected to, and served by, the water system of the Orlando Utilities Commission.

2. Customer Participation

Where the anticipated sewerage benefit charges provided by Section 30.19(5) are insufficient to economically warrant sewer extension by the City, the extension may be denied. However, the City may authorize the sewer extension and may assess up to one hundred (100) percent of the cost of such improvement upon the abutting real estate by Ordinance published and adopted as provided by law, or whenever the owners of fifty-one (51) percent of the front footage of the above real estate shall petition for such improvement. Then, such assessment shall be in accordance with Chapter II of Chapter 8 of the City Charter. The City may elect to utilize another method of cost recovery for system extension costs should it be deemed in the best interest of the City to do so.

3. Voluntary Payment

Where the anticipated sewerage benefit charges provided by Section 30.19 (5) are insufficient to economically warrant sewer extension by the City, the owner(s) of the property to be benefited

may voluntarily agree to pay such additional amount as would be necessary to make the sewer extension economically feasible. Upon recommendation of the Director of Public Works, the City Council may authorize a sewer extension based on what is commonly called the "pioneer method" wherein the pioneer applicant desirous of sewer service extends or provides the City with funds sufficient to cover the cost of extension of sewer service less such portion of the cost, if any, which the City may elect to absorb. At such time, not to exceed ten (10) years as additional users avail themselves of the sewer service provided as a result of the pioneer extension, then the pioneer applicant shall receive from the City the amount which the City collects from the new user for extension of the wastewater collection system, not to exceed the amount originally paid by the pioneer applicant less said pioneer applicant's normal charge for the extension, of the wastewater collection system. Where the City has contributed to the pioneer extension the amounts received from additional users shall be divided between the City and the pioneer on a proportionate basis determined by the size of the City's and the pioneer's respective contributions. Where utilized, details relating to implementation of the pioneer method shall be set forth in a written instrument executed by the pioneer applicant and the City.

4. Exemptions from Payment Of Fees

Except as may be expressly authorized by City Council, no property shall be exempt by virtue of ownership from payment of the sewerage benefit charges or sewer connection fees prescribed by this Chapter.

5. City's Rights Reserved

The City shall reserve the right at all times to levy and impose sewerage benefit fee charges, in the manner prescribed by this Chapter, on any real property benefited by City-owned wastewater facilities.

6. Billing and Payment

(a) The Director of Finance or his designee shall bill all sewerage benefit charges prescribed in Section 30.19. Payment in full of the charge prescribed in Section 30.19 shall be required prior to connection to the City sewer system except as follows: where an existing City residence on a septic tank experiences a failure resulting in an Orange County Public Health Department order to connect to a City sewer, the applicant (upon a demonstration of financial hardship) and the City may enter into an agreement which would provide for the sewerage benefit fee (with interest), to be paid over a three-year period and commencing with the date of the issuance of the sewer connection permit.

(b) Sewer connection charges imposed by Section 30.20 shall be paid by the applicant to the Director of Permitting Services or his designee prior to issuance of the sewer connection permit or the building plumbing permit.

7. Other Charges

The sewerage benefit and connection charges herein before set forth shall in no way void requirements to pay such permit, inspection, service or other charges or fees as may be required by Chapter or as may be adopted by Council from time to time.

8. Future Regulations

Industrial users shall observe and comply with any and all present and future Federal, State and local laws, rules, regulations, requirements, ordinances, orders, mandatory guidelines and procedures which apply or pertain to the collection, treatment, disposal and reuse of wastewater and residuals.

9. Applicable Regulations and Limitations

State requirements and limitations on discharges shall apply in any case where they are more stringent than Federal requirements and limitations or those in this ordinance. The City reserves the right to establish by ordinance or through permit condition(s) more stringent limitations, requirements, or time periods on discharges to the wastewater disposal system if deemed necessary to comply with the objectives stated at the beginning of this Chapter. The revision to discharge limitation(s) in this Chapter or in individual permits shall be initiated by the Director of Public Works when necessary. Affected parties shall be duly notified and shall have the opportunity to comment on the revisions prior to their adoption or incorporation; provided, however that all affected parties are assumed to know and to comply with all State and Federal rules, requirements, and guidelines including (but not limited to) the development, promulgation, and application of local limits; the appropriate use (or inapplicability) of combined wastestream formulas; and all industrial user and POTW monitoring and reporting requirements.

SECTION 30.23 - CONFLICT

All other City ordinances, and other parts of the City Code of Ordinances, that are inconsistent or conflicting with any part of this Chapter are hereby repealed to the extent of such conflict or inconsistency.

SECTION 30.24 - SEVERABILITY

If any court of competent jurisdiction invalidates any provision of this Chapter, the remaining provisions shall not be affected and shall continue in full force and effect.

SECTION 30.25 - RIGHT OF REVISION

The City reserves the right to establish, by Chapter or in the Industrial User Discharge Permits, more stringent standards or requirements on discharges to the POTW.

SECTION 30.26 - EFFECTIVE DATE

This Chapter shall be in full force and effect immediately following its adoption by City Council.